

# Chapter Twenty-Five

## ENVIRONMENTAL IMPACT STATEMENTS

BUREAU OF DESIGN AND ENVIRONMENT MANUAL



**Chapter Twenty-Five**  
**ENVIRONMENTAL IMPACT STATEMENTS**

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# CHAPTER TWENTY-FIVE

## ENVIRONMENTAL IMPACT STATEMENTS

Chapter 25 discusses procedures for preparing and processing Environmental Impact Statements.

### 25-1 GENERAL

#### 25-1.01 Definitions

1. Environmental Impact Statement (EIS). A detailed written statement, prepared for major Federal actions significantly affecting the quality of the human environment, which discusses the environmental impact of the proposed action; any adverse environmental effects which cannot be avoided should the proposal be implemented; alternatives to the proposed action; the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity; and any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented.
2. Supplemental Environmental Impact Statement (SEIS). A detailed written statement on changes in the proposed action and/or on the identification and analysis of new circumstances or information not addressed in the Draft or Final EIS, which would introduce new or changed environmental effects of significance on the quality of the human environment.
3. Tiering. "Tiering" means covering broad or more general matters in one EIS with a subsequent EIS (or EIS's) addressing narrower, more specific matters. The subsequent EIS(s) would incorporate by reference the general discussions and would concentrate solely on the issues specific to the latter. Tiering usually is applied to broad program or system EIS's and subsequent project-specific EIS's. It is intended to be an aid in focusing on issues which are ready for decision and excluding issues already decided or not yet ready. See 40 CFR 1508.28 and Question 24c. of the CEQ Q&A for more information.

#### 25-1.02 Applicability

##### 25-1.02(a) EIS

References: 40 CFR 1502.3 *Requirement for Statements*  
40 CFR 1502.4 *Major Federal Actions Requiring EIS's*

23 CFR 771.115(a) *Examples of Transportation Projects Normally Requiring EIS's*

An EIS is required for all Federally-funded highway projects (or other Federally-regulated highway activities) determined to be likely to cause significant impacts on the environment. 23 CFR 771.115(a) lists project types that normally will require the preparation of an EIS.

**25-1.02(b) Supplemental EIS**

Reference: 40 CFR 1502.9(c) *When to Prepare a Supplemental EIS*  
23 CFR 771.130 *When to Prepare a Supplemental EIS*  
Section XII of FHWA Technical Advisory T6640.8A *Supplemental EIS's*

The cited references describe those circumstances where a Supplemental EIS may be appropriate.

**25-1.02(c) Tiering**

Reference: 40 CFR 1502.20 *When to Use Tiering*  
23 CFR 450.318 *Major Investment Studies*  
Questions 24b. and 24c. of CEQ Q&A *When to Use Tiering*

Tiering of EIS's should be used when it will improve or simplify the environmental processing of proposed IDOT actions. Preparation of tiered EIS's should be considered for complex transportation proposals (e.g., major urban transportation investments). The first tier EIS would focus on broad issues such as mode choice, general location, areawide air quality, and land use implications of the transportation improvement alternatives being considered. System planning activities should encompass environmental studies, and the first tier EIS(s) should use information from these system planning studies and appropriate corridor planning and other planning studies. A subsequent site-specific EIS may be required when it is necessary to focus on more detailed project impacts and mitigation measures (e.g., addressing details of route location, highway interchange configurations, etc.). If tiered EIS's are used, the subsequent document(s) shall state where the preceding document is available.

**25-1.03 EIS Circulation (IDOT Responsibilities)**

References: 40 CFR 1500.1 *Purpose of NEPA*  
40 CFR 1500.2 *NEPA Policies*  
40 CFR 1500.5 *Reducing Delay*  
40 CFR 1502.19 *EIS Circulation*  
Section VII of FHWA Technical Advisory T6640.8A *Distribution of EIS's*



**25-1.03(a) Draft EIS (DEIS) Circulation**

References: 23 CFR 771.123(e) *Approval of DEIS for Circulation*  
23 CFR 771.123(f) *Printing of DEIS*  
23 CFR 771.123(g) *Circulation of DEIS*  
23 CFR 771.123(h) *Availability of DEIS in Relation to Hearing*  
23 CFR 771.123(i) *Comment Period*  
Section 25-2, Activity 15 *Prepare DEIS for Circulation*  
Section 25-2, Activity 16 *Circulate DEIS*

The cited references provide relevant information on the circulation of a DEIS. The following discussion provides IDOT-specific information on DEIS circulation.

For the purpose of circulating a DEIS, public officials, interest groups, and members of the public known to have an interest in the preparation of the DEIS will include:

- appropriate State and local agencies which are authorized to develop and enforce environmental standards;
- any agency, organization, or person who has requested that they receive statements on actions of the type proposed;
- where relevant, officially designated State and local arts councils and other organizations with interests in design, art, and architecture, as appropriate; and
- the affected city(ies) and/or county(ies).

The following IDOT-specific guidance also applies to the DEIS circulation:

- the letter transmitting the DEIS to cooperating agencies shall identify the areas requiring comments or coordination;
- copies of the DEIS will be furnished to clearinghouses of other impacted States unless a Governor has designated an agency other than the clearinghouse;
- copies of the DEIS will be furnished to the appropriate sub-State clearinghouses;
- a calendar date for return of comments shall be shown on the DEIS Cover Sheet. In establishing the calendar date (or other review period), a reasonable number of days should be added to the 45 days to allow for internal mail handling and for the DEIS to reach the recipient;

- the transmittal letter to commenting entities shall indicate (1) the calendar date comments are due, (2) where to send comments, and (3) that the FEIS will be furnished to those who request a copy at the time they comment on the DEIS;
- the DEIS shall be made available for review by the public at the IDOT district office. A copy(ies) also should be made available, as appropriate, to public institutions, such as local governments and public libraries to permit them to make it available for public review; and
- the initial printing of the DEIS shall be of sufficient quantity to meet requests for copies which reasonably can be expected from agencies, organizations, and individuals. Copies will be furnished free of charge unless the IDOT district engineer concludes that a fee, which is not more than the actual printing cost, should be charged. IDOT shall inform the FHWA of requests for DEIS's which it is unable to fill with free copies. The FHWA Division Administrator may ask IDOT to direct the party to the nearest location where the party may review the statement.

#### **25-1.03(b) Final EIS (FEIS) Circulation**

References: 40 CFR 1502.19(d) *Recipients of FEIS*  
23 CFR 771.125(c) *Approval of FEIS*  
23 CFR 771.125(f) *Printing of FEIS*  
23 CFR 771.125(g) *Circulation of FEIS*  
Paragraph VI.C. of FHWA Technical Advisory T6640.8A *Abbreviated FEIS*  
Section 25-2, Activity 21 *Prepare/Process FEIS for Approval*  
Section 25-2, Activity 22 *Circulate FEIS*

The cited references provide relevant information on the circulation of a FEIS. The following IDOT-specific guidance also applies to the FEIS circulation:

- the IDOT district office shall distribute copies of the FEIS to the appropriate State and sub-State clearinghouse(s);
- the FEIS shall be available for public review at the IDOT district office. A copy(ies) also should be made available, as appropriate, to public institutions, such as local governments and public libraries to permit them to make it available for public review;
- copies of the FEIS should be furnished free of charge as practical or at a fee which is not more than the actual printing or reproduction cost. The provisions for a DEIS also apply to a FEIS; and
- in limited situations where the FEIS is voluminous and the number of comments on a DEIS is such that distribution of the FEIS to all commenting entities appears impractical,

the district, BDE, and FHWA may jointly decide on alternative arrangements for distribution of the statement. Where the commenting entities' interest in specific areas can be identified, the alternative arrangements may be the distribution of those sections of the FEIS that deal with their specific interests or areas of concern; summaries of those sections; or the response to the comment which is included in the FEIS.

#### **25-1.04 EIS Validity/Re-evaluations**

Reference: 23 CFR 771.129 *Re-evaluations*  
Section XI of FHWA Technical Advisory T6640.8A *Re-evaluations*

In general, a DEIS or FEIS remains valid for a period of three years. Where a written evaluation becomes necessary, it should be in the format of an abbreviated Environmental Assessment and shall address the presence or absence of significant changes in:

- the proposed action,
- the affected environment,
- the anticipated impacts, and
- proposed mitigation measures.

Sufficient detail shall be provided to support a decision that a formal EIS supplement, or a new EIS, is or is not necessary. Special environmental issues (e.g., agricultural lands, wetlands, flood plains, Section 4(f) lands) also should be discussed in the written evaluation, as appropriate. Coordination with interested and affected agencies or individuals should be undertaken as necessary; results of such coordination should be summarized and documented in the evaluation report.

Before undertaking any written evaluation, the district office should discuss the project and its history with BDE and FHWA representatives, preferably at district coordination meetings. Report preparation and review by BDE and FHWA should follow the normal procedures used in processing Environmental Assessments (see Chapter 24). For projects involving restricted time schedules or other limiting factors, special arrangements may be necessary; in such cases, BDE should be contacted for guidance. The final version of all written evaluations will be sent by BDE to the FHWA Division Office.

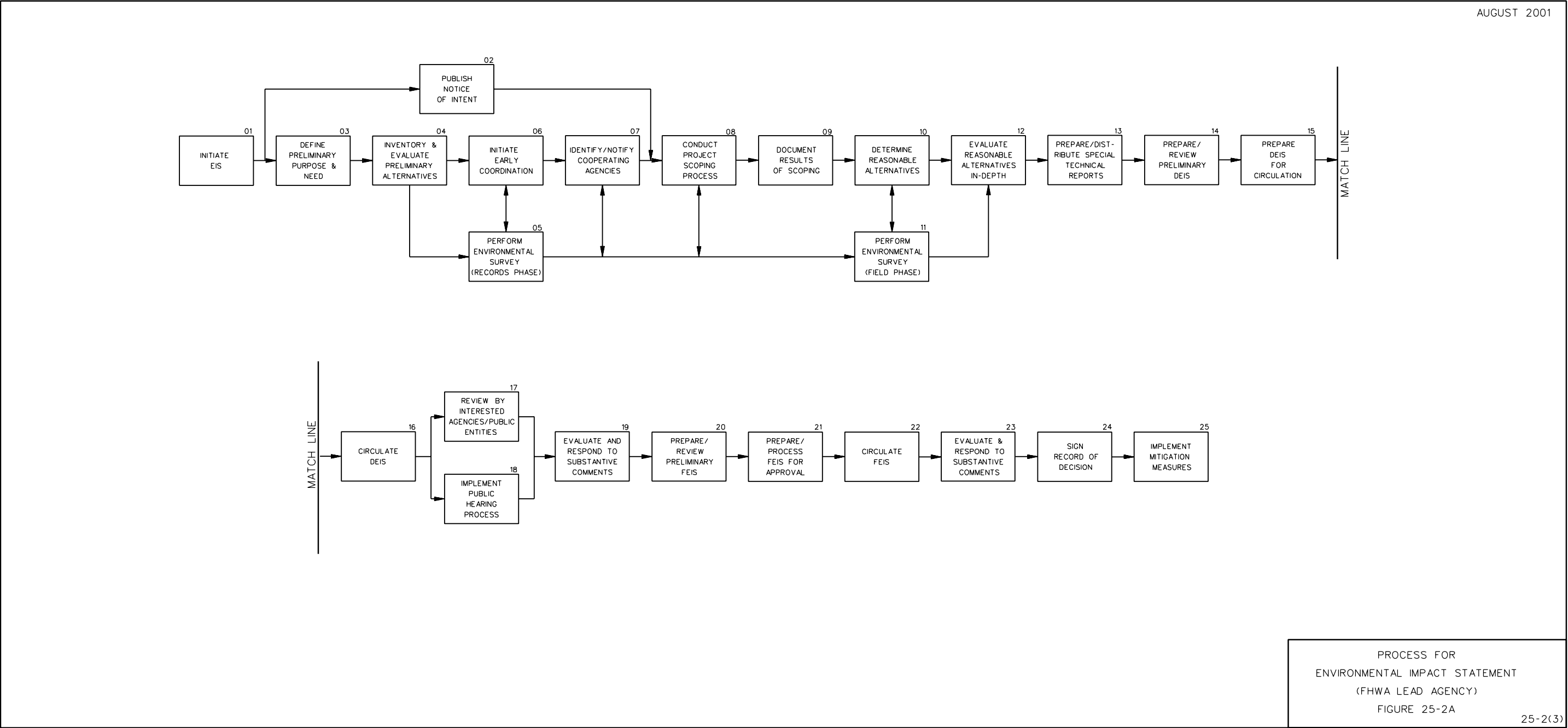


## 25-2 THE EIS PROCESS

Figure 25-2A presents a network which graphically illustrates the general process for an action processed with an Environmental Impact Statement. This is followed by a brief description of each activity within the network. The user of Figure 25-2A should consider the following:

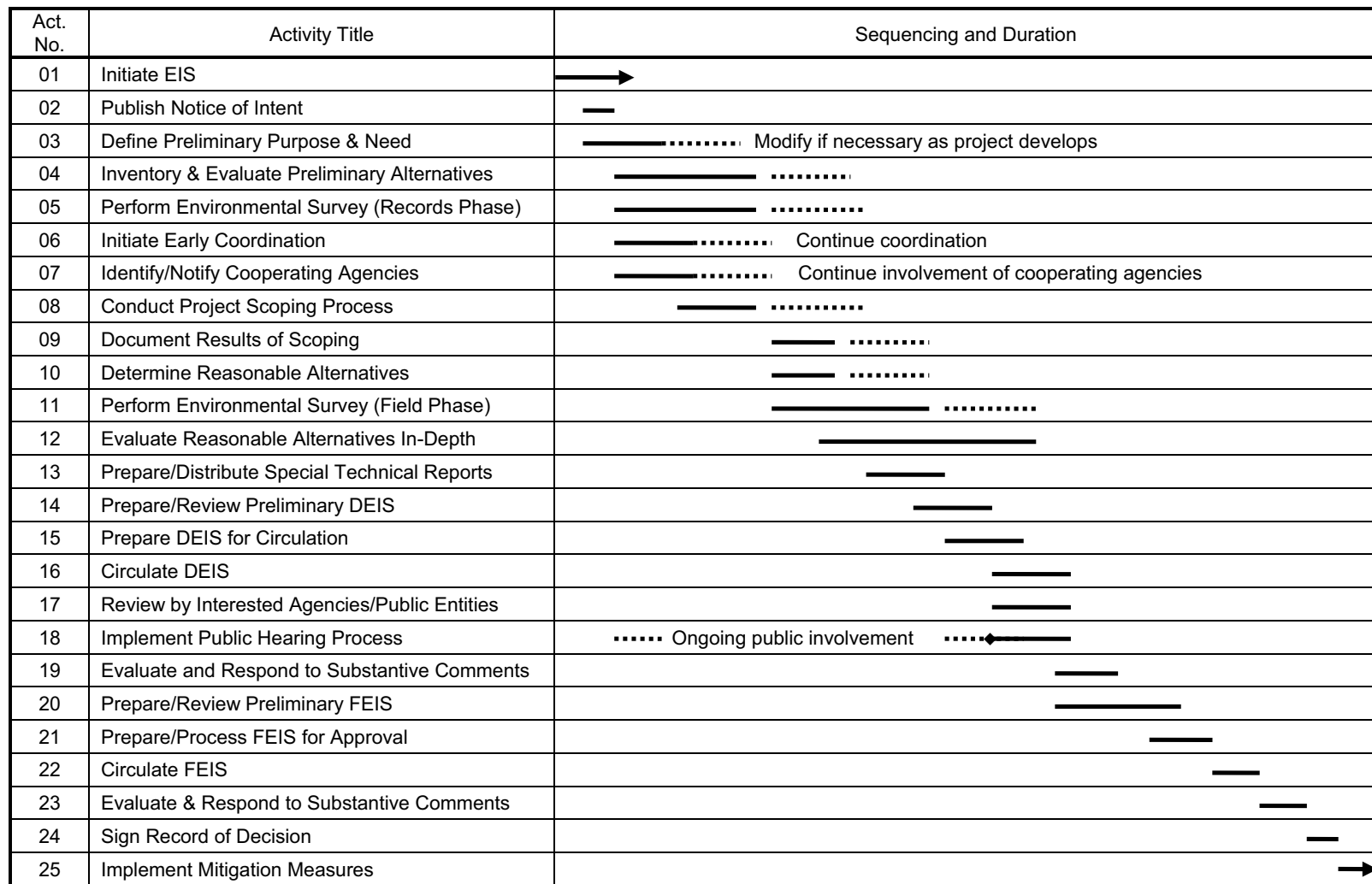
1. Lines of Communication. The rigid application of the network would lead to predetermined, precise points at which communication occurs between units. This is neither realistic nor desirable. Communication between units must be continuous. This will result in fewer problems and fewer “surprises” in the process.
2. Lead Agency. Figure 25-2A assumes that the Federal Highway Administration is the lead agency for FHWA-funded projects. If another Federal agency is the lead agency, other procedures may be required.
3. Application. Figure 25-2A applies to all EIS projects involving State highways regardless of the source of funding.
4. Sequencing/Duration. Figure 25-2B presents a bar chart for the EIS process which provides the approximate relative sequencing and duration for each activity within the process.














Key:

-  Primary Activity
-  Ongoing As Needed
-  Public Hearing, if Held

## SEQUENCING/DURATION FOR ENVIRONMENTAL IMPACT STATEMENT PROCESS

Figure 25-2B

**EIS Process**

Activity Title: Initiate EIS

Activity No.: 01

Responsible Unit: District Office

Activity Description:

For actions that will ultimately be processed with an EIS, this is often known at the time of project initiation. This network for the EIS process (Figure 25-2A) assumes it is known at the time of project initiation that an EIS will be required.

The district will initiate the EIS by assigning a team; discussing the project at a coordination meeting, which should include obtaining FHWA concurrence in the appropriateness of preparing an EIS for the project; and assembling information which may include:

- planning reports or studies,
- record plans (as-builts),
- letters/correspondence on the project,
- traffic data,
- documentation on any public or private meetings,
- original surveys,
- aerial photos,
- statistical data documenting need for improvement,
- scoping data providing recommended improvement,
- Maintenance Management Information System (MMIS) data,
- appropriate information from engineering and Department databases,
- verification that the project is included in the applicable Transportation Improvement Program/ State Transportation Improvement Program,
- existing right-of-way,
- information and decisions from the programming process, and
- results of the preliminary field check of project location.

References:

- 40 CFR 1501.2 *Early Application of NEPA*
- 40 CFR 1501.4 *When to Prepare an Environmental Impact Statement*
- 23 CFR 771.115(a) *Definition of Class I (EIS) Action*
- Section 22-3.06 *Proposed Action*
- Section 25-1 *General*

**EIS Process**

Activity Title: Publish Notice of Intent

Activity No.: 02

Responsible Unit: District Office/BDE/FHWA

Activity Description:

When the preparation of an EIS is initiated, and before formal scoping, the district should prepare a draft Notice of Intent. The draft Notice should be submitted to BDE for further action. The Notice will be processed through the Federal Highway Administration for publication in the *Federal Register*.

Appendix B of FHWA Technical Advisory T6640.8A discusses the format, content, and processing of the Notice of Intent in more detail. Figure 25-2C presents the required format for the Notice adapted for application by IDOT.

References:

- 40 CFR 1501.7 *Scoping*
- 40 CFR 1508.22 *Definition of Notice of Intent*
- 23 CFR 771.123(a) *Publication of NOI in Federal Register*
- Appendix B of FHWA Technical Advisory T6640.8A *Preparation and Processing of NOI*

**Required Format for Notice of Intent\***

(Billing Code No. 4910-22)

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

**\*\*ENVIRONMENTAL IMPACT STATEMENT: (COUNTY OR CITY), ILLINOIS**

AGENCY: Federal Highway Administration (FHWA), DOT

ACTION: Notice of Intent

SUMMARY: The FHWA is issuing this Notice to advise the public that an environmental impact statement will be prepared for a proposed project in ...

## FOR FURTHER INFORMATION CONTACT:

(FHWA Official, Name and Title)

Federal Highway Administration

3250 Executive Park Drive

Springfield, Illinois 62703

Phone (217) 492-4640

(Name), District Engineer

Illinois Department of Transportation

(Office address)

(Phone)

SUPPLEMENTARY INFORMATION: This section should contain (1) a brief narrative description of the proposed action (e.g., location of the action, type of construction, length of the project, needs which will be fulfilled by the action); (2) a brief description of possible alternatives to accomplish goals of the proposed action (e.g., upgrade existing facility, construction on new alignment, mass transit, no action (should always be listed), multi-modal design); and (3) a brief description of the proposed scoping process for the particular action including whether, when, and where any scoping meeting(s) will be held.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding inter-governmental consultation on Federal program and activities apply to this program.)

Issued on: (FHWA will enter the date the document is signed)

---

(Name and Title of FHWA Official)

Springfield, Illinois 62703

\* All typing must be double spaced unless otherwise noted.

\*\* Single space

Note: Left margin should be 1.5 inches (40 mm) minimum and all others 1 inch (25 mm).

**Figure 25-2C**

**EIS Process**

Activity Title: Define Preliminary Purpose and Need

Activity No.: 03

Responsible Unit: District Office/BDE/FHWA/Office of Planning and Programming

Activity Description:

For a major transportation action which will be processed with an EIS, the district must define the purpose of and need for the action to provide the basis for making a preliminary selection of alternatives (Activity 04) for evaluation. This will be an evolutionary process, and the district must coordinate with the other responsible units. The cited references provide critical guidance in defining the purpose and need, especially Section 22-6.01.

References:

- 40 CFR 1502.13 *Documentation of Purpose and Need*
- Paragraph V.D. of FHWA Technical Advisory T6640.8A *Purpose of and Need for Action*
- Section 22-6.01 *Purpose and Need*
- Section 22-4 *Concurrent NEPA/404 Processes*

## EIS Process

Activity Title: Inventory & Evaluate Preliminary Alternatives

Activity No.: 04

Responsible Unit: District Office/BDE/FHWA

### Activity Description:

Based on the definition of the preliminary purpose of and need for the action (Activity 03) and the general design concept presented in a Major Investment Study, if applicable, the district office with technical assistance from BDE and FHWA will inventory the affected environment and evaluate the preliminary alternatives as practical at this stage of project development. This will be an evolutionary process as the alternatives become more definitive and as more information is gathered in the environmental surveys (Activities 05 and 11). The evaluation of preliminary alternatives should be sensitive to those environmental resources for which analysis of alternatives for avoidance and minimization of adverse impacts is required (e.g., wetlands, flood plains, Section 4(f) properties/historic sites, and threatened and endangered species). In addition, districts should recognize that avoidance of environmental resources requiring special compliance procedures for impacts should be the preferred course of action. Avoidance of such resources will help to shorten project development time by avoiding the reporting and coordination necessary for compliance. The compilation of environmental inventories should be pursued only as necessary to provide high-quality information on the environmental impacts of the proposed action and to promote decision making. Discussion of the proposed project with resource agencies at a district coordination meeting may be helpful in determining the optimum level of effort for the inventorying activity.

The district should identify the full range of the environmental inventory by evaluating environmental data bases, discussing the project at a district coordination meeting, and submitting an environmental survey request and Special Waste Assessment Screen/Survey Request Form, as appropriate, to BDE. Resources involved may include:

- Section 4(f) and/or 6(f) properties;
- archaeological and historical properties;
- flood plains;
- sensitive noise receptors;
- prime farmland;
- wetlands;
- threatened or endangered species habitat, nature preserves, and natural areas;
- wild and scenic rivers and Class I streams;
- status of air quality attainment;
- water quality of streams and lakes;
- special waste;
- social/economic characteristics of the population;
- visual quality factors;
- well-head protection areas;
- groundwater recharge areas; and
- other biological resources (biodiversity, riparian habitat, etc.).

After the inventory has been prepared, the district should perform a preliminary evaluation of the magnitude and importance of the potential environmental impacts precipitated by the proposed action. This will assist in initiating the early coordination process (Activity 06) and establishing significance.

### References:

- 40 CFR 1500.1(b) *Environmental Information for Decision-Making*
- 23 CFR 771.111 *Early Coordination and Public Involvement*
- Paragraph V.E. of FHWA Technical Advisory T6640.8A *Alternatives*
- Chapter 27 *Environmental Surveys*
- 23 CFR 450.318 *Major Investment Studies*

**EIS Process**

Activity Title: Perform Environmental Survey (Records Phase)

Activity No.: 05

Responsible Unit: BDE

Activity Description:

Based on the environmental survey request and Special Waste Assessment Screen/Survey Request Form, as appropriate, BDE will perform a record survey to access published information and determine the need for further investigation of the following:

- wetlands;
- archaeological and historical resources;
- Federal/State threatened or endangered species or their critical/essential habitat;
- well-head protection zones and regulated recharge areas;
- special waste sites; and
- Title VI or Environmental Justice concerns.

As indicated in the EIS network, BDE will provide this information to the district as it becomes available to assist in the progression of activities in the EIS process. If determined necessary, BDE will initiate field surveys (Activity 11) to further identify and evaluate critical environmental resources which might affect decisions at this point.

Reference:

- Chapter 27 *Environmental Surveys*

**EIS Process**

Activity Title: Initiate Early Coordination

Activity No.: 06

Responsible Unit: District Office/BDE

Activity Description:

Coordination with governmental agencies and the public, as appropriate, is one of the most important aspects of the EIS process. This coordination should begin as early as practical in project planning.

The district and BDE will initiate early coordination with organizations and persons and appropriate local, State, and Federal agencies that have an interest in the project or have information or expertise concerning environmental issues the project may involve. The purpose of this coordination will be to assist in the identification of reasonable alternatives and in the gathering of information for evaluating the social, economic, and environmental impacts of the proposed project and possible impact mitigation measures. See Figure 25-2D for a sample letter.

The district office should begin developing the public involvement plan for the project at this stage (see Chapter 19).

References:

- 40 CFR 1500.1(b) *Environmental Information for Decision Making*
- 40 CFR 1500.2(d) *Public Involvement*
- 40 CFR 1500.5(b) *Interagency Cooperation*
- 40 CFR 1501.1(b) *Early Coordination*
- 40 CFR 1501.6 *Cooperating Agencies*
- 23 CFR 771.111 *Early Coordination and Public Involvement*
- Question 9. of CEQ Q&A *Needed Approval from Other Agencies*
- Section 22-5 *Coordination*
- Chapter 19 *Public Involvement Guidelines*



[ Date ]

[ Address ]

Dear Sir or Madam:

The Illinois Department of Transportation is initiating the information gathering phase of the Environmental Impact Statement (EIS) for the proposed improvement of US Route 45 from Harrisburg to Eldorado. Because the project may affect your area of expertise, your facilities, or your activities or programs, we are seeking your comments on this project.

The study area for the project begins at a point west of Harrisburg along the new Illinois Route 13 and extends to the intersection of US Route 45 with Illinois Route 142 in Eldorado (see Figure 1). The estimated length of the project is 8.6 miles (13.8 km).

Existing US Route 45 is a north/south route that runs along the eastern edge of Harrisburg to Eldorado. The existing route includes two traffic lanes with aggregate-paved shoulders. Pavement width is generally 24 ft (7.2 m). Access is uncontrolled, contributing to high accident rates in areas of commercial development.

The proposed action is to replace or reconstruct US Route 45 between Eldorado and Harrisburg and to study a possible bypass around the City of Harrisburg from a point on new Illinois Route 13 west of Harrisburg to US Route 45. The project would be designed as a rural, four-lane expressway. The typical cross section for this facility type includes two roadways 24 ft (7.2 m) wide separated by a 50 ft (15 m) wide median. The project would be partially access-controlled. No direct commercial access would be allowed to the facility. The proposed project would be designated as Federal Aid Route 332.

Alternatives to be considered include a no-action alternative, reconstruction of the existing facility, construction of a new facility on new alignment, construction of a bypass around Harrisburg, and combinations of these alternatives.

We look forward to your response to this request. If you have any questions regarding the preparation of the EIS or would like to discuss the project in more detail, please contact (*name*) at this office (phone: \_\_\_\_\_, fax: \_\_\_\_\_).

Sincerely,

[ Name ]  
District Engineer

## **SAMPLE COORDINATION LETTER**

### **Figure 25-2D**

**EIS Process**

Activity Title: Identify/Notify Cooperating Agencies

Activity No.: 07

Responsible Unit: District Office/BDE/FHWA

Activity Description:

In Activity 06, the district will have made a preliminary identification of those agencies which may have an interest in the project. The following procedures shall be used for requesting involvement of cooperating agencies:

1. The district office shall make a preliminary determination of whether there are, or may be, Federal, State, or local agencies having jurisdiction by law or having special expertise with respect to environmental issues that either must be or should be requested to be cooperating agencies. Any Federal agency having or expected to have permit approval or concurrence authority or commenting responsibility on a Federally funded/regulated action shall be requested to be a cooperating agency.
2. For those project situations where a need for contacting such agency or agencies is identified, this should be discussed with the FHWA Division Office and BDE representatives as soon as practical, preferably at one of the regular district coordination meetings (see Section 22-5). The minutes of the coordination meeting should document the discussion and include an indication of the agency or agencies that will be contacted.
3. After discussion among the district, FHWA, and BDE, FHWA will contact appropriate Federal agencies to request/invite them to be cooperating agencies. FHWA will provide the district and BDE copies of the requests and responses. For any State or local agency that the district, FHWA, and BDE determine should be requested to be a cooperating agency, the district shall contact the agency, in writing, to request/invite its participation as a cooperating agency. (Refer to Figure 25-2E for sample format.) The district shall provide informational copies of requests and responses to BDE and FHWA.

References:

- 40 CFR 1501.6 *Role of Cooperating Agencies*
- 40 CFR 1508.5 *Definition of Cooperating Agency*
- 23 CFR 771.109(c)(3) *Local Public Agency as Cooperating Agency*
- 23 CFR 771.111(d) *Requesting Agencies to Become Cooperating Agencies*
- Section 22-5 *Coordination*
- Questions 14a., 14b., and 14c. of CEQ Q&A *Roles of Lead and Cooperating Agencies, Resolution of Disputes*
- BDE Information Memorandum 92-3 *FHWA Guidance on Cooperating Agencies*

[Agency Address]

Subject: [Project identification information: route, location/termini, counties, project number]

Dear Sir or Madam:

The Federal Highway Administration in cooperation with the Illinois Department of Transportation has initiated studies for an Environmental Impact Statement for [FAP/Illinois/U.S.] Route \_\_\_\_ in \_\_\_\_\_ County/ies, Illinois. The notice of intent to prepare an EIS was published in the Federal Register on \_\_\_\_\_ and your agency was invited to attend a scoping meeting for the project on \_\_\_\_\_.<sup>1</sup> Since the project [will almost certainly require a Section 404 permit and because of your agency's legal jurisdiction over such permits] [may affect fish and wildlife habitat and because of your agency's special expertise], we are requesting your agency to be a cooperating agency.

[FAP/Illinois/U.S.] Route \_\_\_\_ is . . . [describe project location and need, alternatives under consideration, potential environmental impacts, etc.].

Your agency's involvement should entail those areas under its jurisdiction and no direct writing or analysis will be necessary for the preparation of the document.<sup>2</sup> To maximize interagency cooperation, we will do the following:

1. invite you to Coordination Meetings;
2. consult with you on any relevant technical studies that will be required;
3. organize joint field reviews with you;
4. provide you with project information, including study results;
5. encourage your agency to use the aforementioned documents to express your views on subjects within your jurisdiction or expertise; and
6. include information in the project environmental documents that cooperating agencies may need to discharge National Environmental Policy Act (NEPA) responsibilities and any other requirements regarding jurisdictional approvals, permits, licenses, or clearances.

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<sup>1</sup> Include this sentence as applicable and appropriate.

<sup>2</sup> If the agency has not already received a copy of FHWA's guidance on cooperating agencies, a copy should be enclosed.

**FORMAT EXAMPLE**  
**(Cooperating Agency Request Letter)**

**Figure 25-2E**

You have the right to expect that the EIS will enable you to discharge your jurisdictional responsibilities. Likewise, you have the obligation to tell us if, at any point in the process, your needs are not being met. We expect that at the end of the process, the EIS will satisfy NEPA requirements including those related to project alternatives, environmental consequences, and mitigation. Further, we intend to utilize the EIS and our subsequent decision statement as our decision-making documents and as the basis for the permit application.<sup>3</sup>

We look forward to your response to this request and your involvement as a cooperating agency on this project. If you have any questions or would like to discuss in more detail the project or our agencies' respective roles and responsibilities during the preparation of the EIS, please contact \_\_\_\_\_.

Very truly yours,

Name of IDOT District Engineer

cc: Bureau of Design and Environment  
FHWA Division Office

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<sup>3</sup> Delete this paragraph in requests to agencies having special expertise.

**FORMAT EXAMPLE**  
**(Cooperating Agency Request Letter)**

**Figure 25-2E**  
(Continued)

## EIS Process

Activity Title: Conduct Project Scoping Process

Activity No.: 08

Responsible Unit: District Office/BDE/FHWA

Activity Description:

Scoping is an early and open process for determining the scope of issues to be addressed in the EIS and for identifying potential significant issues related to the proposed action. Scoping is intended to focus the study effort on issues that are truly significant and avoid the collection of needless detailed information on insignificant issues.

For an EIS, a scoping process is required. Part 1501.7 of the *CEQ Regulations* discusses scoping. The following information is also relevant:

1. Meeting A formal scoping meeting may or may not be necessary. See Section 22-5. The district may accomplish scoping during other formal/informal meetings and field reviews or through written or verbal communication.
2. Limits The limits of scoping should be determined through agreement among IDOT, the FHWA, and any cooperating and/or other agencies having special expertise or jurisdiction by law on the issue. If an agreement cannot be reached, the lead agency is responsible for making the final scoping determination.
3. Comprehensiveness The objective of scoping is to identify early in project development all environmental issues which may surface so that, as practical, NEPA can serve as a "one-stop" process. This includes, for example, issues which typically must be addressed later in project development (e.g., Section 404 permit, Section 10 permit).
4. Schedule The district must communicate the tentative planning and decision-making schedule so the timing of the environmental analyses can be arranged to meet the project schedule.

If cooperating agencies are involved, the district should ask during the scoping process if the agency wishes to review the preliminary DEIS before the official DEIS is circulated.

References:

- 40 CFR 1501.7 *Scoping*
- 23 CFR 771.123(b) *Scoping*
- "Background" Section of FHWA Technical Advisory T6640.8A
- Section 22-5 *Coordination*
- BLE Information Memorandum 9-81 *CEQ Scoping Guidance*

**EIS Process**

Activity Title: Document Results of Scoping

Activity No.: 09

Responsible Unit: District Office

Activity Description:

The district should review the results of the scoping process with BDE and FHWA at a coordination meeting to confirm the scope of issues to be addressed and the significant issues involved with the project. It is critical that the district office document the results of the scoping process (e.g., in a summary of comments and responses, meeting minutes, memorandum to the file) to provide a written record of all comments, issues, concerns, etc., provided by those agencies involved in the process. The documentation should include, at a minimum:

- who participated in the scoping process (both names and agencies),
- what information was provided (from whom and to whom), and
- what decisions were made on the scope of issues to be addressed and any significant issues identified.

Reference:

- Section 22-5 *Coordination*

## EIS Process

Activity Title: Determine Reasonable Alternatives

Activity No.: 10

Responsible Unit: District Office/BDE/FHWA

Activity Description:

The determination of the reasonable alternatives for in-depth evaluation is an evolutionary process, which may be summarized as follows:

- identify preliminary alternatives (Activity 04);
- perform a rough evaluation of the potential impacts of these preliminary alternatives on the inventory of the affected environment (Activity 04) to identify, for example, "fatal" flaws;
- incorporate input from agencies and/or the public (Activities 06 and 08) in the decision-making process;
- identify a range of all reasonable alternatives; and
- based on an appropriate level of re-evaluation and additional coordination, identify those selected reasonable alternatives which are worthy of in-depth evaluation considering:
  - + the need to identify potential avoidance and minimization alternatives for Section 4(f) flood plains, wetlands, etc.;
  - + that the cost of the environmental studies for each alternative should be commensurate with its probability of implementation;
  - + that, collectively, the selected alternatives should cover the full spectrum of alternatives; and
  - + that, collectively, the selected alternatives should gain public acceptance that no reasonable alternative has been omitted.

Typically, this process will yield two or three reasonable alternatives for in-depth evaluation. This includes the no-action alternative, which must be among the alternatives for in-depth study.

References:

- 40 CFR 1502.14 *Alternatives Including the Proposed Action*
- 23 CFR 771.111(f) *Characteristics of Action*
- Questions 1., 2., and 3. of CEQ Q&A *Identification and Evaluation of Alternatives*
- Paragraph V.E. of FHWA Technical Advisory T6640.8A *Alternatives*
- Section 22-3.09 *Selection of Preferred Alternative*
- Section 22-4 *Concurrent NEPA/404 Processes*
- Section 22-6.04 *Logical Termini*

**EIS Process**

Activity Title: Perform Environmental Survey (Field Phase)

Activity No.: 11

Responsible Unit: BDE

Activity Description:

In Activity 05, BDE will have performed the Records Phase of the environmental survey. During this activity, BDE will determine if further field work is necessary to verify or further evaluate the location, nature, and extent of potential resource involvement. If determined necessary, BDE will coordinate, as appropriate, with the responsible agencies and the district office for the field survey(s). BDE will provide the district office with documentation of the survey results and recommendations on resources identified.

For special waste sites, the special waste screening process completed by the district will identify the need for further field work. Districts may choose to use qualified district personnel to perform necessary additional field studies for special waste sites involving only petroleum contamination, as described in Chapter 27.

As indicated in the EIS network, the Field Survey phase will be performed in coordination with other Activities.

Reference:

- Chapter 27 *Environmental Surveys*



## EIS Process

Activity Title: Evaluate Reasonable Alternatives In-Depth

Activity No.: 12

Responsible Unit: District Office/BDE/FHWA

Activity Description:

For each selected reasonable alternative, the district must identify and evaluate in detail those environmental impacts which will likely be precipitated by the construction and operation of the proposed action. The district may also need to address impacts associated with the total highway section. For example, completing a gap in a highway may substantially increase traffic volumes, change traffic patterns, or improve access to an area, creating a need to evaluate impacts related to the entire highway section.

The district in cooperation with BDE will initiate those studies necessary to determine the environmental impact of the proposed project alternatives. The nature of the studies will include:

- coordination with affected local, State, and Federal agencies and the public; and
- an evaluation of the potential environmental impacts including:

<ul style="list-style-type: none"><li>+ social/economic,</li><li>+ agricultural,</li><li>+ historical/archaeological,</li><li>+ air quality,</li><li>+ noise,</li><li>+ energy,</li><li>+ water quality/resources,</li></ul>	<ul style="list-style-type: none"><li>+ flood plains,</li><li>+ wetlands,</li><li>+ endangered and threatened species,</li><li>+ natural resources,</li><li>+ special waste sites,</li><li>+ Section 4(f)/6(f), and</li><li>+ other issues as applicable (e.g., Wild and Scenic Rivers, Well-head Protection Zones, regulated ground-water recharge areas).</li></ul>
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References:

- 40 CFR 1502.14 *Alternatives Including the Proposed Action*
- 40 CFR 1502.16 *Environmental Consequences*
- 23 CFR 771.111(e) *Coordination with Affected States and Federal Land Management Entities*
- 23 CFR 771.111(f) *Logical Termini, Independent Utility, Effect on Other Projects*
- 23 CFR 771.111(h) *Public Involvement*
- Questions 1., 2., and 3. of CEQ Q&A *Identification and Evaluation of Alternatives*
- Paragraph V.E. of FHWA Technical Advisory T6640.8A *Alternatives*
- Section 22-3.09 *Selection of Preferred Alternative*
- Section 22-6.04 *Logical Termini*

**EIS Process**

Activity Title: Prepare/Distribute Special Technical Reports

Activity No.: 13

Responsible Unit: District Office/BDE

Activity Description:

For environmental concerns requiring in-depth analyses (e.g., wetlands, noise), it may be appropriate to prepare "technical reports" discussing the analyses and findings for the issues involved. BDE will determine "technical report" requirements. The key conclusions from these reports will be summarized in the EIS. As appropriate to respond to requests identified during early coordination or scoping, these "technical reports" shall be coordinated with agencies and other interested entities prior to making the EIS available for review. Technical reports should be reviewed by BDE and FHWA prior to making them available to other parties.

Reference:

- Chapter 26 *Special Environmental Analyses*

## EIS Process

Activity Title: Prepare/Review Preliminary DEIS

Activity No.: 14

Responsible Unit: District Office

Activity Description:

At this stage of project development, the district will have received input from the appropriate agencies and the public (Activities 06 and 08), will have evaluated in-depth the selected reasonable alternatives (Activity 12), and will have received input on any special technical reports (Activity 13). Before circulation of the DEIS (Activities 15 and 16), a preliminary version of the DEIS must be prepared and reviewed by IDOT and FHWA to evaluate its adequacy for distribution. The following process will apply to the review of the preliminary DEIS:

- The district office will submit the preliminary DEIS to BDE.
- BDE will review and evaluate the preliminary DEIS and will notify the district office of any required revisions, if necessary, before proceeding with further reviews.
- BDE will submit the preliminary DEIS to the Office of IDOT Chief Counsel.
- After receipt of comments from the Office of IDOT Chief Counsel or after expiration of the three-week period for receipt of such comments, the preliminary DEIS will be submitted to the FHWA Illinois Division Office through BDE for review and evaluation. Concurrently, the district should provide the preliminary DEIS to any cooperating agencies which requested a copy during the scoping process (Activity 08).
- The FHWA Midwestern Resource Center Legal Counsel will evaluate the preliminary DEIS to determine if it meets the requirements for legal sufficiency.
- The comments of the FHWA on the preliminary DEIS will be transmitted to the district office through BDE.

References:

- 40 CFR 1502.1 *Purpose of EIS*
- 40 CFR 1502.10 *Recommended EIS Format*
- 40 CFR 1502.11 *Cover Sheet*
- 40 CFR 1502.12 *Summary*
- 40 CFR 1502.13 *Purpose and Need Documentation*
- 40 CFR 1502.14 *Alternatives Documentation*
- 40 CFR 1502.15 *Affected Environment Documentation*
- 40 CFR 1502.16 *Environmental Consequences Documentation*
- 40 CFR 1502.17 *List of Preparers*
- 40 CFR 1502.18 *Appendix*
- 23 CFR 771.123(c) *Who Prepares EIS; Alternatives Discussion*
- 23 CFR 771.123(d) *Use of Consultants*
- Section V of FHWA Technical Advisory T6640.8A *Format and Content of EIS*
- Section 25-3 *Format and Content of EIS*

**EIS Process**

Activity Title: Prepare DEIS for Circulation

Activity No.: 15

Responsible Unit: District Office/BDE

Activity Description:

At this stage of project development, the district will have received input from BDE, the Office of Chief Counsel, FHWA, and any cooperating agencies on the preliminary DEIS (Activity 14). The following process will apply to the preparation and processing of the DEIS for approval to circulate:

- The district office will revise the preliminary DEIS (Activity 14) in response to comments from BDE, the Office of Chief Counsel, etc. The district will submit the appropriate number of copies of the DEIS and cover sheet to BDE.
- The Engineer of Design and Environment will sign the cover sheet for IDOT.
- BDE will submit the DEIS to the FHWA Division Office.
- The FHWA Division Office will affix its official signature to the cover sheet of the DEIS.
- BDE will then return a signed cover sheet to the district office.

References:

- 23 CFR 771.123(e) *Approval of EIS*
- Section 25-3 *Format and Content of EIS*

## EIS Process

Activity Title: Circulate DEIS

Activity No.: 16

Responsible Unit: District Office/BDE/FHWA/EPA

Activity Description:

The district office has the primary responsibility for circulating the DEIS to appropriate governmental agencies, public officials, interest groups, and the public. The district should mail the DEIS to these commenting parties no later than the date FHWA sends the document to EPA (see below). Section 25-1.03(a) discusses IDOT-specific information for circulating the DEIS in detail. The following describes the processing of the DEIS by FHWA and USEPA:

- The FHWA Division Office will submit five signed copies directly to the Environmental Protection Agency, Office of Federal Activities in Washington, D.C. for filing.
- Concurrently, the FHWA Division Office will submit the DEIS to FHWA Headquarters and the FHWA Midwestern Resource Center.
- EPA will publish in the Federal Register the Notice of Availability for the DEIS. The Notice will be published on Friday of the week following that in which EPA received the DEIS. Note that the minimum time period of availability for comment is calculated based on the date of publication in the Federal Register.
- Upon request, the FHWA Division Office will provide interested parties with information or status reports on the EIS and other elements of the NEPA process.

Figure 25-2F identifies the number of copies for circulating the DEIS.

References:

- 40 CFR 1502.19 *Circulation of EIS*
- 40 CFR 1503.1 *Inviting Comments*
- 40 CFR 1506.9 *Filing EIS with EPA*
- 40 CFR 1506.10 *Timing of Agency Action*
- 23 CFR 771.123(f) *Printing DEIS*
- 23 CFR 771.123(g) *Recipients of DEIS*
- 23 CFR 771.123(h) *Availability of DEIS In Relation To Public Hearing*
- 23 CFR 771.123(i) *Time Period for Comments*
- 23 CFR 771.111(h) *Public Involvement Requirements*
- Section VII. of FHWA Technical Advisory T6640.8A *Distribution of EIS*
- Question 28. of CEQ Q&A *Filing Xerox Copies with EPA*
- Section 25-1.03(a) *Draft EIS Circulation*

Document	Entity	No. of Copies
Preliminary DEIS	District to BDE	9
	BDE to FHWA	6
Original Signature Pages	District to BDE (with DEIS submittal)	2
	BDE to District (after BDE and FHWA signature)	1
DEIS	District to BDE	13
	BDE to FHWA Division	10
	<b>District to Federal Agencies</b>	
	Environmental Protection Agency, Region V, Office of Environmental Review (Chicago) <sup>1</sup>	3
	Advisory Council on Historic Preservation	1
	Department of Agriculture	1
	Department of Commerce	1
	Department of Energy (projects with major energy-related impacts only)	1
	Department of Health and Human Services	1
	Department of Housing and Urban Development, Region V	1
	Department of Interior	12
	Federal Aviation Administration	1
	Federal Railroad Administration (if project will have potential railroad involvement or impact)	1
	US Army Corps of Engineers (if 404 permit potentially needed)	1
	US Coast Guard (if U.S.C.G. permit potentially needed)	1
	<b>District to State Agencies</b>	
	Bureau of the Budget	1
	Department of Agriculture	1
	Department of Corrections	1
	Department of Natural Resources	4
	IDNR, Office of Mines and Minerals	1
	IDNR, Office of Water Resources	1
	Department of Public Health	1
	Division of Aeronautics, IDOT	1
	Environmental Protection Agency	3
	Historic Preservation Agency	1
	Illinois Commerce Commission	1
	Illinois Geological Survey	1
	Illinois Natural History Survey	1
	Illinois State Clearinghouse	1
	Illinois State Library (information only)	1
	Illinois Water Survey	1
	<b>District to Other Entities</b>	
	Sub-State Clearinghouse(s)	(No. involved)
	Local Agencies (list)	(As required)
	Organizations and Institutions (list)	(As required)
	Persons (list)	(As required)

<sup>1</sup> District sends copy of transmittal letter to BDE and FHWA Division Office.

**NUMBER OF COPIES  
(DEIS Processing)**

**Figure 25-2F**

**EIS Process**

Activity Title: Review by Interested Agencies/Public Entities

Activity No.: 17

Responsible No.: Various

Activity Description:

40 CFR 1503 of the *CEQ Regulations* discusses commenting relative to EIS's.

40 CFR 1506.10 establishes minimum time frames for making decisions on the proposed action after publication of the Notice of Availability for the DEIS.

References:

- 40 CFR 1503 *Commenting*
- 40 CFR 1506.10 *Time Frames for Action*
- Question 14c. of CEQ Q&A *Commenting Responsibility of Cooperating Agencies*

**EIS Process**

Activity Title: Implement Public Hearing Process

Activity No.: 18

Responsible Unit: District Office

Activity Description:

Public involvement is a critical element of the EIS process. Chapter 19 and the cited references discuss the requirements for public hearings, public information meetings, and input.

References:

- 40 CFR 1500.2(d) *Policy Encouraging Public Involvement*
- 40 CFR 1506.6 *Public Involvement Requirements*
- 23 CFR 771.111(h) *Public Involvement Requirements*
- 23 CFR 771.123(h) *Availability of DEIS in Relation to Public Hearing*
- Chapter 19 *Public Involvement Guidelines*



**EIS Process**

Activity Title: Evaluate and Respond to Substantive Comments

Activity No.: 19

Responsible Unit: District Office

Activity Description:

The district will evaluate all comments on the DEIS and/or Section 4(f) Evaluation, where applicable, and will prepare responses to these comments as appropriate. Possible responses include:

- modifying alternatives including the proposed action;
- developing and evaluating alternatives not previously given serious consideration;
- supplementing, improving, or modifying analyses;
- making factual corrections; or
- explaining why the comments do not warrant further agency response, citing the sources, authorities, or reasons which support that position and, if possible, indicating those circumstances which would trigger reappraisal or further response.

It is not necessary nor appropriate to respond to all comments by letter. The responses must meet the requirements of 40 CFR 1503.4 which includes, as one example, using the FEIS as the mechanism for the response. For comments which precipitate a major impact on the EIS process, the district may decide to prepare a Supplement to the DEIS.

Comments which are received after the formal comment period, but before the FEIS is signed by the FHWA, shall be appended to the FEIS, where practical. When the comments are received after the FEIS has been submitted to FHWA but before signature, the comments shall be forwarded to FHWA. The transmittal of the comments to the FHWA shall include an explanation that the comments were received late, and it shall indicate the response to the comments.

In the implementation of this Activity, it is important for IDOT and/or FHWA to resolve any interagency disagreements before the preparation of the FEIS.

References:

- 40 CFR 1503.4 *Response to Comments*
- 23 CFR 771.125(a) *Documentation of Comments and Responses*
- Question 14d. of CEQ Q&A *Lead Agency Response to Cooperating Agency's Comments*
- Question 29 of CEQ Q&A *Responses to Comments*
- Section 19-6.04 *Responses to Comments*

**EIS Process**

Activity Title: Prepare/Review Preliminary FEIS

Activity No.: 20

Responsible Unit: District Office

Activity Description:

Before the final preparation and distribution of the FEIS (Activity 21), a preliminary version of the FEIS must be reviewed by IDOT and FHWA to evaluate its adequacy for distribution. The following process will apply to the review of the preliminary FEIS:

- The district office will submit the preliminary FEIS to BDE.
- BDE will review and evaluate the preliminary FEIS and will notify the district office of any required revisions, if necessary, before forwarding the preliminary FEIS to FHWA.
- After the district office has incorporated any necessary changes, the preliminary FEIS will be submitted to the FHWA Illinois Division Office through BDE for review and evaluation.
- The FHWA Midwestern Resource Center Legal Counsel will evaluate the preliminary FEIS to determine if it meets the requirements for legal sufficiency.
- The FHWA's comments on the preliminary FEIS will be transmitted to the district office through BDE.

References:

- 40 CFR 1502.9(b) *Documentation of Response to Comments in FEIS*
- 23 CFR 771.125 *Preparation of FEIS*
- 23 CFR 771.135(j) *Discussion in FEIS on Section 4(f)*
- 23 CFR 771.135(k) *Legal Sufficiency of Section 4(f) Evaluation*
- Section VI of FHWA Technical Advisory T6640.8A *Options for Preparing FEIS*
- Section 22-4 *Concurrent NEPA/404 Processes*
- Section 26-2 *Section 4(f) Evaluations*

## EIS Process

Activity Title: Prepare/Process FEIS for Approval

Activity No.: 21

Responsible Unit: District Office/BDE/FHWA

Activity Description:

The district will incorporate changes in the FEIS as necessary to respond to comments on the preliminary FEIS and will prepare a draft Record of Decision (ROD). The following process will be followed to obtain approval of the FEIS:

- The district will submit the FEIS and a draft ROD to the BDE. The Engineer of Design and Environment will sign the FEIS cover sheet for IDOT. BDE will forward the FEIS and draft ROD to the FHWA Division Office. (FHWA may adopt or revise the draft ROD. The Record of Decision is an internal document and should not be circulated with an EIS or otherwise made available to the public until the FHWA has adopted the ROD or prepared its own.) The district also must submit, with the FEIS and draft ROD, a transcript of each public hearing held and a certification that a required hearing or hearing opportunity was offered. The FHWA Division Office will submit the FEIS to the FHWA Midwestern Resource Center.
- For those actions which do not require prior concurrence from FHWA Headquarters, the FHWA Division Administrator, or his/her designee, may adopt and sign the FEIS after the FHWA Midwestern Resource Center review is complete, as applicable under the Environmental Procedures Agreement between the FHWA Division Office and the FHWA Midwestern Resource Center. After adoption and signature, the Division Administrator will ensure that FHWA Headquarters and the FHWA Midwestern Resource Center each receive one copy of the signed FEIS.
- For projects in the categories described in 23 CFR 771.125(c), FEIS's will be submitted to the FHWA Washington Headquarters Office of Program Development for prior concurrence. The FHWA Washington Headquarters will notify the FHWA Division Administrator when the FEIS may be released to the public and USEPA, at which time the FHWA Division Administrator will adopt and sign the FEIS.

References:

- 23 CFR 771.113(a)(2) *FHWA Receipt of Certifications and Required Public Hearing Transcripts*
- 23 CFR 771.125(c) *FHWA Approval of FEIS*
- 23 CFR 771.125(e) *FEIS Approval Not An "Administration Action"*
- 23 CFR 771.135(l) *Section 4(f) Approval and FEIS*
- Section VIII of FHWA Technical Advisory T6640.8A *Format and Content of ROD*
- Question 6. of CEQ Q&A *Environmentally Preferable Alternative*
- Question 34b. of CEQ Q&A *Use of FEIS Summary as ROD*
- Question 34c. of CEQ Q&A *ROD and Mitigation/Monitoring*
- Section 26-2 *Section 4(f) Evaluations*

**EIS Process**

Activity Title: Circulate FEIS

Activity No.: 22

Responsible Unit: District Office/BDE/FHWA/EPA

Activity Description:

The district office has the primary responsibility for circulating the FEIS which, basically, will be distributed to any entity which made substantive comments on the DEIS or requested a copy of the FEIS. Section 25-1.03(b) discusses IDOT-specific information for circulating the FEIS in detail. The following describes the processing of the FEIS by FHWA and USEPA:

- The FHWA Division Office will submit the signed FEIS directly to the Environmental Protection Agency, Office of Federal Activities in Washington, D.C.
- EPA will publish in the Federal Register the Notice of Availability for the FEIS. The publication date will be on Friday of the week following that in which EPA received the FEIS. The date of publication in the Federal Register will establish the beginning of the 30-day time period that must elapse before FHWA can sign the ROD.
- Upon request, the FHWA Division Office will provide interested parties with information or status reports on the EIS and other elements of the NEPA process.

Figure 25-2G identifies the number of copies for circulating the FEIS.

References:

- 40 CFR 1502.19 *Circulation of EIS*
- 40 CFR 1506.9 *Filing EIS with EPA*
- 40 CFR 1506.10 *Timing of Agency Action*
- 23 CFR 771.125(f) *Printing FEIS*
- 23 CFR 771.125(g) *Circulation of FEIS*
- Paragraph VII. A. of FHWA Technical Advisory T6640.8A *Distribution of EIS*
- Section 25-1.03(b) *FEIS Circulation*

Document	Entity	No. of Copies
Preliminary FEIS	District to BDE	7
	BDE to FHWA Division	4
Original Signature Pages	District to BDE (with FEIS submittal)	3
	BDE to FHWA Division	2
	BDE to District (after BDE and FHWA signature)	1
FEIS	District to BDE (prior to FHWA approval)	6 <sup>1</sup>
	BDE to FHWA Division (prior to FHWA approval)	4 <sup>1</sup>
	District to FHWA Division (copies of approved FEIS)	10
	<b>District to Federal Agencies</b>	
	Environmental Protection Agency, Region V, Office of Environmental Review (Chicago) <sup>2</sup>	3
	Advisory Council on Historic Preservation <sup>3</sup>	1
	Department of Agriculture	1
	Department of Commerce <sup>3</sup>	1
	Department of Energy <sup>3</sup>	2
	Department of Health and Human Services <sup>3</sup>	1
	Department of Housing and Urban Development, Region V	1
	Department of Interior <sup>4</sup>	7
	Federal Aviation Administration <sup>3</sup>	1
	Federal Railroad Administration <sup>3</sup>	1
	US Army Corps of Engineers (if 404 permit needed)	1
	US Coast Guard (if U.S.G.C. permit needed)	1
	<b>District to State Agencies</b>	
	Bureau of the Budget <sup>3</sup>	1
	Department of Agriculture <sup>3</sup>	1
	Department of Corrections <sup>3</sup>	1
	Department of Natural Resources	4
	IDNR, Office of Mines and Minerals	1
	IDNR, Office of Water Resources	1
	Department of Public Health <sup>3</sup>	1
	Division of Aeronautics, IDOT <sup>3</sup>	1
	Environmental Protection Agency	3
	Historic Preservation Agency <sup>3</sup>	1
	Illinois Commerce Commission <sup>3</sup>	1
	Illinois Geological Survey	1
	Illinois Natural History Survey	1
	Illinois State Clearinghouse	1
	Illinois State Library (information only)	1
	Illinois Water Survey	1
	<b>District to Other Entities</b>	
	Sub-State Clearinghouse(s)	(No. involved)
	Local Agencies (list) <sup>3</sup>	(As required)
	Organizations and Institutions (list) <sup>3</sup>	(As required)
	Persons (list) <sup>3</sup>	(As required)

1 Additional copies necessary for non-delegated EIS's requiring concurrence of FHWA Washington Office. FHWA will determine number needed.

2 District sends copy of transmittal letter to BDE and FHWA Division Office.

3 Receives copy if substantive comments submitted on draft.

4 12 copies of FEIS should be sent to the Department of Interior if a Section 4(f) Evaluation is involved.

**NUMBER OF COPIES  
(FEIS Processing)**

**Figure 25-2G**

**EIS Process**

Activity Title: Evaluate & Respond to Substantive Comments

Activity No.: 23

Responsible Unit: District Office

Activity Description:

The district will evaluate all comments to the FEIS and identify and respond in the ROD to those comments that are substantive, and the district will summarize and respond to other comments as appropriate.

Reference:

- Paragraph VIII.F. of FHWA Technical Advisory T6640.8A *Comments on Final EIS*

**EIS Process**

Activity Title: Sign Record of Decision

Activity No.: 24

Responsible Unit: FHWA

Activity Description:

Assuming that all comments to the FEIS are satisfactorily resolved, the Record of Decision (ROD) may now be approved and processed as follows:

- The Regional Federal Highway Administrator will sign the Record of Decision no sooner than 30 days after the Federal Register public availability notice for the FEIS or 90 days after such notice for the DEIS, whichever is later.
- A ROD which has been adopted by FHWA or which has been revised to be consistent with an FHWA-prepared ROD should (1) be made a part of copies of the EIS which are used as a reference for further development and implementation of the project by IDOT units; (2) be included in the project files; and (3) otherwise be made available to those IDOT units involved in subsequent project development and implementation.

References:

- 40 CFR 1505.2 *ROD for EIS*
- 23 CFR 771.127 *Record of Decision Process*
- 23 CFR 771.129 *Re-evaluations*
- 23 CFR 771.135(l) *Section 4(f) Approval with ROD*
- Question 33b. of CEQ Q&A *Referral After ROD*
- Question 34a. of CEQ Q&A *Public Availability of ROD*
- Section 22-3.15 *Ensuring Validity of Environmental and Design Documents*

**EIS Process**

Activity Title: Implement Mitigation Measures

Activity No.: 25

Responsible Unit: District Office/BDE/FHWA

Activity Description:

Those involved in preparing and processing the EIS should assist those involved in subsequent aspects of project development and implementation in facilitating the fulfillment of commitments made as a part of the NEPA process. Each district must ensure that its procedures for follow-through on commitments provide for including information on mitigation measures and other commitments (e.g., Wetlands Compensation Plan, Erosion Control Plan, Special Provisions for management and monitoring of special wastes) in the project plans, as necessary, and for implementing and monitoring the measures during construction and maintenance, as appropriate.

References:

- 40 CFR 1505.3 *Implementing Mitigation*
- 23 CFR 771.109 (b) *Responsibility for Implementing Mitigation*
- Question 34d. of CEQ Q&A *Enforceability of ROD*



## **25-3 FORMAT AND CONTENT OF EIS**

### **25-3.01 Objectives**

References: 40 CFR 1502.1 *Purpose of EIS*  
40 CFR 1502.8 *Clarity of Writing*  
Section 22-2 *Environmental Documentation*

The content of Environmental Impact Statements (EIS's) should meet the following objectives:

- to provide three levels of detail:
  - + the Summary to provide sufficient information for those who are interested only in the major features of the project;
  - + the main text to provide additional information, especially for those with special interests or expertise; and
  - + data and technical reports (incorporated by reference or, in some cases, included in an Appendix) to allow those with a need for technical and scientific information to determine the basis for general statements in the text;
- to facilitate scoping discussions;
- to reduce duplication within the report (e.g., the affected environment should be described only once);
- to reduce or eliminate the need to rewrite portions of the report. As appropriate, the format allows the draft report to serve as the final report with revisions in:
  - + the "Summary,"
  - + the "Alternatives" Section,
  - + the "Environmental Consequences" Section, and
  - + the "Comments and Coordination" Section; and
- to provide a logical flow of information for decision-makers and the public.

### **25-3.02 General**

References: 40 CFR 1500.4 *Reducing Paperwork*  
40 CFR 1502.2 *Preparation of EIS's*  
40 CFR 1502.5 *Timing*  
40 CFR 1502.6 *Interdisciplinary Preparation*  
40 CFR 1502.7 *Page Limits*

40 CFR 1502.8 *Writing*

40 CFR 1502.9 *Draft, Final, and Supplemental Statements*

Question 21. of CEQ Q&A *Combining EIS with Other Planning Documents*

In addition to the cited references, the following general comments apply to the format and content of an EIS:

1. Length. The text of a draft or final Environmental Impact Statement normally will be less than 150 pages for most projects and less than 300 pages for projects of unusual scope or complexity (see 40 CFR 1502.7). This length refers to the following sections:
  - Purpose of and Need for Action,
  - Affected Environment,
  - Alternatives, and
  - Environmental Consequences.
2. Emphasis. The EIS preparer(s) should convey the required information in a form easily understood by those expected to comment on the draft statement. The EIS should stress the substance of the information conveyed rather than the length or detail of the statement. Brevity, consistent with the scale and impact of the proposed action and the information to be presented, should be the aim of those preparing the EIS.
3. Coordination with Environmental Studies. The statement should briefly summarize and reference in the text any underlying studies, reports, and other information considered in preparing the document. Referenced reports should be those readily available to commenting entities upon request or, at a minimum, available for review and copying at a convenient location. If supporting documents are appended to the statement, ensure that the document is self-contained and does not require undue cross-referencing. The level of summarization should be commensurate with the scale of the proposed action and the impact(s).
4. Paper Size. The statement will be printed on paper approximately 8 ½ inches x 11 inches (216 mm x 279 mm), and the maps, drawings, illustrations, etc., should be folded to the same size. Sheets wider than 8 ½ inches (216 mm) should be folded to open to the right with identification placed at the right edge.
5. Type Size/Font. The EIS text should be prepared using an 11-point or 12-point type size in a serif font such as Times New Roman.

### **25-3.03 Table of Contents**

References: 40 CFR 1502.10 *Recommended Format*

Paragraph V.C. of FHWA Technical Advisory T6640.8A *Table of Contents*

The Table of Contents for an EIS will typically include:

- Cover Sheet;
- Summary;
- Table of Contents;
- Purpose of and Need for Action;
- Affected Environment;
- Alternatives;
- Environmental Consequences;
- List of Preparers;
- List of Agencies, Organizations, and Persons to Whom Copies of the Statement are Sent;
- Comments and Coordination;
- Section 4(f) Statement (if applicable);
- Index; and
- Appendices (if any).

The Table of Contents should also provide the page numbers for each section. Maps, charts, tables, each appendix, etc., should have a separate listing.

The following discussion in Section 25-3 presents IDOT-specific information to supplement the guidance in the *CEQ Regulations* and FHWA Technical Advisory T6640.8A, which are duplicated in Appendix A. The discussion is structured based on the above Table of Contents.

#### **25-3.04 Cover Sheet**

References: 40 CFR 1502.11 *Cover Sheet*  
Paragraph V.A. of FHWA Technical Advisory T6640.8A *Cover Sheet*

Figure 25-3A presents the Cover Sheet for an EIS. It has been adapted from the Cover Sheet in FHWA Technical Advisory T6640.8A to provide information specific to Illinois. The Engineer of Design and Environment will sign the Cover Sheet for IDOT (see Section 25-2, Activities 15 and 21).

#### **25-3.05 Summary**

References: 40 CFR 1502.12 *Summary*  
Paragraph V.B. of FHWA Technical Advisory T6640.8A *Summary*

The Summary is a digest of the main text of the EIS for the:

- Purpose of and Need for Action,
- Affected Environment,

FHWA-IL-EIS - -D (F) (S)

(Route, Termini, City or County, and State)

DRAFT (FINAL) (SUPPLEMENT)  
ENVIRONMENTAL IMPACT STATEMENT

Submitted Pursuant to 42 USC 4332 (2)(c)  
(and where applicable, 49 USC 303) by the

U. S. Department of Transportation  
Federal Highway Administration

and

Illinois Department of Transportation  
and  
(As applicable, any other joint lead agency)

Cooperating Agencies  
(Include List Here, as applicable)

\_\_\_\_\_  
Date of Approval

\_\_\_\_\_  
For IDOT

\_\_\_\_\_  
Date of Approval

\_\_\_\_\_  
For FHWA

The following persons may be contacted for additional information concerning this document:

(Name)  
Division Administrator  
Federal Highway Administration  
3250 Executive Park Drive  
Springfield, Illinois 62703  
Telephone: 217-492-4640

(Name, office address, and phone number  
of IDOT District Engineer)

A one-paragraph abstract of the statement.

Comments on this draft EIS are due by (date) and should be sent to (name and office address of IDOT District Engineer).\*

\* *To be used on the draft EIS only.*

**EIS COVER SHEET**

**Figure 25-3A**

- Alternatives, and
- Environmental Consequences.

### **25-3.06 Purpose of and Need for Action**

References: 40 CFR 1502.13 *Purpose and Need*  
Paragraph V.D. of FHWA Technical Advisory T6640.8A *Purpose of and Need for Action*  
Section 22-6.01 *Purpose and Need (FHWA Paper)*

The cited references provide the applicable guidance for preparing this part of the EIS.

### **25-3.07 Affected Environment**

References: 40 CFR 1502.15 *Objectives of Affected Environment Discussion*  
Paragraph V.F. of FHWA Technical Advisory T6640.8A *Affected Environment*  
Chapter 27 *Environmental Surveys*

The discussion on the affected environment should provide information regarding each of the issue areas listed below, as appropriate. These correspond to issue areas discussed in the format guidance for the “Environmental Consequences” Section of the EIS (Section 25-3.09). As practical, the order in which the areas are discussed in the “Affected Environment” Section of the EIS should be the same as that in which they are discussed in the “Environmental Consequences” Section:

- Social/Economic,
- Agricultural,
- Cultural,
- Air Quality,
- Natural Resources,
- Water Quality/Resources,
- Flood Plains,
- Wetlands,
- Special Waste,
- Special Lands, and
- Other issues.

In addition to the information discussed in the cited references, this Section should include, as appropriate, information such as in the following subsections (in summary form).

**25-3.07(a) Social/Economic**

The EIS should discuss the following:

1. Population. Identify by race, color, national origin, and age the general population served and/or affected (city, county, etc.) by the proposed action. Demographic data should be obtained from available secondary sources (e.g., census data, planning reports) unless more detailed information is necessary to address specific concerns.
2. Economic. Provide an inventory of pertinent economic factors, such as employment, taxes, property values, etc., in general terms only unless directly and substantially affected by the action. See *Socio-Economic Impact Assessment Manual*.
3. Neighborhoods. Provide a general description of the surrounding neighborhoods, including ethnic composition, population distribution and growth characteristics, and other socio-economic characteristics.
4. Public Facilities/Services. Identify affected public facilities and services, including religious, health, and educational facilities, public utilities, police and fire protection, and other emergency services.
5. Highway Data. Provide the location, length, number of lanes, type, and existing traffic data for existing facilities.
6. Local Planning. Describe the scope and status of the planning processes for the local jurisdictions and the project area. Maps of any adopted land use and transportation plans for these jurisdictions and the project area would be helpful in relating the proposed project to the planning procedures.

**25-3.07(b) Agricultural**

Depict the locations of any designated Agricultural Areas on a map and provide a general statement regarding the occurrence of agricultural land uses in the area the project may affect (e.g., predominantly agricultural, scattered agricultural uses, urban developed area with little or no agricultural land use).

**25-3.07(c) Cultural**

Provide a general description of the surrounding cultural features such as towns, archaeological sites, historic sites, landmarks, institutions, developed areas, principal roads and highways, and similar features that are pertinent to the study. If the BDE has issued an "in-house" clearance on historic and archaeological resources (in response to a request for an environmental survey of the

proposed project), the following statement (and related documentation) should be included in the "Affected Environment" Section:

*Under the provisions of an agreement between the Illinois State Historic Preservation Officer, the Federal Highway Administration, and the Illinois Department of Transportation, the professional cultural resources staff of the IDOT has determined that this project will have no effect on cultural resources subject to Section 106 of the Historic Preservation Act of 1966, as amended, or Section 4(f) of the Department of Transportation Act of 1966 (see Appendix \_\_\_\_\_ for documentation.)*

"Documentation" would be a copy of the Environmental Survey Request form, stamped and signed by the Cultural Resources Unit of BDE.

If a survey is conducted but locates no cultural resources subject to Section 106 of the Historic Preservation Act of 1966 or Section 4(f) of the Department of Transportation Act of 1966, the following statement (and related documentation) should be included in the "Affected Environment" Section:

*A field survey of the proposed project area, conducted under the auspices of the Illinois Archaeological Survey, located no resources subject to the provisions of Section 106 of the Historic Preservation Act of 1966, as amended, or of Section 4(f) of the Department of Transportation Act of 1966. The State Historic Preservation Officer has concurred in this finding (see Appendix \_\_\_\_\_ for concurrence documentation.)*

For this circumstance, only include a copy of the concurrence letter from the State Historic Preservation Officer to document cultural resource clearance.

For these cases, the statements indicated and the corresponding documentation will fulfill the requirement to address cultural resources in the EIS.

When cultural resources subject to the provisions of Section 106 and/or Section 4(f) will be affected by the proposed action, briefly describe the nature of the cultural resources survey and the resources in the "Affected Environment" Section. Describe coordination or mitigation procedures in the "Environmental Consequences" Section.

### **25-3.07(d) Air Quality**

Include wording similar to the following to address Air Quality aspects of the affected environment for the proposed project:

*The National Ambient Air Quality Standards (NAAQS), established by the U.S. Environmental Protection Agency, set maximum allowable concentration limits for*

*six criteria air pollutants. Areas in which air pollution levels persistently exceed the NAAQS may be designated as "non-attainment." States in which a non-attainment area is located must develop and implement a State Implementation Plan (SIP) containing policies and regulations that will bring about attainment of the NAAQS.*

*All areas of Illinois currently are in attainment of the standards for four of the six criteria pollutants: carbon monoxide, nitrogen dioxide, sulfur dioxide, and lead. Chicago and Metro-East St. Louis are classified as non-attainment for the 1-hour ozone standard. In addition, Cook, DuPage, Kane, Lake, McHenry, and Will Counties and Aux Sable and Goose Lake Townships in Grundy County and Oswego Township in Kendall County have been classified as a severe ozone non-attainment area. Lake Calumet and McCook in Cook County have been designated as non-attainment for the particulate matter (PM<sub>10</sub>) standard. The sources of particulate matter that prompted the non-attainment classification are unrelated to transportation. All other areas of Illinois currently are in attainment for the ozone and PM<sub>10</sub> standards.*

[Use the appropriate statement from the following:]

*No portion of this project is located within a designated non-attainment area.*

or

*This project is [totally/partially] located within an area designated as non-attainment for the [indicate criteria pollutant standard(s) involved] standard(s) of the NAAQS.*

If a proposed project is located within a designated non-attainment area, include information to describe the numerical standard for the criteria pollutant(s) for which the area is in non-attainment. Also include summary information on the results of recent air quality monitoring in the project vicinity for the criteria pollutant(s) involved in the non-attainment classification. Air quality monitoring information can be obtained from the most recent "Illinois Annual Air Quality Report" issued by the Illinois EPA. Also include the appropriate paragraph from the following concerning the Pollutant Standards Index/Air Quality Index:

[For monitoring information obtained from the annual air quality report for 1999:]

*The Pollutant Standard Index (PSI) is the national standard method for reporting air pollution levels to the general public. The PSI is based on the short-term Federal National Ambient Air Quality Standards (NAAQS), the Federal episode criteria, and the Federal Significant Harm levels for five of the "criteria pollutants," namely, ground-level Ozone (O<sub>3</sub>), Sulfur Dioxide (SO<sub>2</sub>), Carbon Monoxide (CO), Particulate Matter (PM), and Nitrogen Dioxide (NO<sub>2</sub>). The PSI levels have been divided into five categories: "Good" (0-50), "Moderate" (51-100), "Unhealthful" (101-199), "Very Unhealthful" (200-299), and "Hazardous" (300 and above).*



*PSI classifications of "Unhealthful" are uncommon in Illinois and classifications of "Very Unhealthful" are rare. To date, no classifications of "Hazardous" have occurred in Illinois.*

[For monitoring information obtained from the annual air quality report for 2000 or a subsequent year:]

*The Air Quality Index (AQI), is the current national standard method for reporting air pollution levels to the general public. The AQI is based on the short-term Federal National Ambient Air Quality Standards (NAAQS), the Federal episode criteria, and the Federal Significant Harm levels for five of the "criteria pollutants," namely, ground-level Ozone (O<sub>3</sub>), Sulfur Dioxide (SO<sub>2</sub>), Carbon Monoxide (CO), Particulate Matter (PM), and Nitrogen Dioxide (NO<sub>2</sub>). The AQI levels have been divided into six categories: "Good" (0-50), "Moderate" (51-100), "Unhealthy for Sensitive Groups" (101-150), "Unhealthy" (151-200), "Very Unhealthy" (201-300), and "Hazardous" (301-500).*

*AQI classifications of "Unhealthy for Sensitive Groups" and "Unhealthy" are uncommon in Illinois. Classifications of "Very Unhealthy" are rare. To date, no classifications of "Hazardous" have occurred in Illinois.*

### **25-3.07(e) Natural Resources**

Provide a general description of the surrounding terrain and ecosystems. Describe each of the plant communities or habitat types in the project vicinity; whether essentially natural such as forest, prairie, marsh, bog, lake, stream, etc.; or substantially modified or managed, such as active or abandoned farmland, active or abandoned mining areas, utility or transportation rights-of-way, residential areas, or other urban land. Information concerning natural and cultural resources will be provided through the "Integrated Process for Environmental Surveys, Studies, and Related Coordination." See Chapter 27.

The EIS should also reflect the following on the ecosystem:

- Biodiversity.
- Briefly consider geology and soils (to the extent that they affect the consideration of project alternatives or the nature of the project's effects on the ecosystem or groundwater resources), hydrology, flora, fauna, and land use (including recreation, wilderness, or open space qualities, where applicable).
- Estimate the extent (number of acres [hectares]) in the project vicinity of each kind of plant community or habitat, their quality (considering diversity, function, and the degree and kind of disturbance, such as grazing, to which the more natural areas have been subjected),

and their age or replacement time (the number of years required for comparable vegetation to “grow back” if destroyed).

- Identify areas in the project vicinity that are of particular interest based on their natural qualities. Indicate the size and location (using maps, if possible) of such areas, including:
  - + natural preserves or natural areas, especially but not limited to areas listed in the Illinois Department of Natural Resources’ Natural Areas Inventory;
  - + areas of high biological diversity;
  - + habitat of threatened or endangered species;
  - + wetlands and flood plain areas;
  - + areas of recreational interest, such as hunting and fishing areas of high quality; and
  - + any other unusual areas of local interest.
- As possible, describe the probable future environment of the project area if the project were not implemented.

#### **25-3.07(f) Water Quality/Resources**

Describe the types and existing quality of surface and ground water resources as appropriate. (As an alternative, the description of ground water resources may be addressed as part of the discussion of geology in the Natural Resources subsection.)

#### **25-3.07(g) Flood Plains**

Depict base flood plains and, where applicable, regulatory floodways on map of project area.

#### **25-3.07(h) Wetlands**

Depict locations and limits on map of project area.

#### **25-3.07(i) Special Waste**

Discuss any known Special Waste Sites in the project area (e.g., CERCLIS sites, inventories of underground storage tanks or leaking underground storage tanks) and indicate the month and

year in which the project area was last evaluated for Special Waste sites. If no known CERCLIS sites are identified in the area from which the project may require right-of-way or easements, the following statement should be used to address the CERCLIS site issue:

*The USEPA listing of potential, suspected, and known hazardous waste or hazardous substance sites in Illinois (i.e., the Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS) has been reviewed to ascertain whether the proposed project will involve any listed site(s). As a result of this review, it has been determined that the proposed undertaking will not require any right-of-way or any easement from a site included in the CERCLIS listing as of [date of most recent CERCLIS listing provided to district office].*

#### **25-3.07(j) Special Lands**

List, briefly describe, and depict locations on map of project area.

#### **25-3.07(k) Other Issues**

Describe any other characteristics of the affected environment (e.g., visual) which may be relevant to the evaluation of environmental impacts.

#### **25-3.08 Alternatives**

References: 40 CFR 1502.14 *Objectives of Alternatives Discussion*  
23 CFR 771.123(c) *Evaluation of Alternatives in DEIS*  
23 CFR 771.125(a)(1) *Preferred Alternative in FEIS*  
Paragraph V.E. of FHWA Technical Advisory T6640.8A *Alternatives*  
Questions 1., 3., 4., and 5. of CEQ Q&A *Identification and Evaluation of Alternatives*  
Question 7. of CEQ Q&A *Relationship Between Alternatives and Environmental Consequences Sections*

In addition to the information in the cited references, the following guidance applies to this part of the EIS.

For projects that would significantly increase capacity for single-occupancy vehicles (i.e., by adding lanes to an existing highway or constructing a new highway) in areas designated as non-attainment for carbon monoxide or ozone (e.g., the Chicago Metro area or the St. Louis Metro East area), the alternatives section must include information on Congestion Management System alternatives. (Lane additions for safety improvements or for elimination of bottlenecks

are not considered to be projects that significantly increase capacity for single-occupancy vehicles.) The following paragraphs provide recommended wording for use in addressing this requirement:

**Congestion Management System Alternatives**

*The provisions of 23 CFR 450.320 and 23 CFR 500.105 (a) place restrictions on the use of Federal funds for projects in Transportation Management Areas (TMAs) designated as non-attainment for carbon monoxide and/or ozone. In these areas, Federal funds may not be programmed for any project that will significantly increase capacity for single-occupancy vehicles (SOVs) unless the project is a component of a Congestion Management System (CMS). The CMS is required to provide an appropriate analysis of alternatives to the proposal for adding SOV capacity, including all reasonable congestion management strategies. If the analysis demonstrates that other alternatives and/or congestion management strategies cannot fully satisfy the need for additional capacity and that, therefore, the additional SOV capacity is warranted, the CMS must identify all reasonable strategies that will maintain the functional integrity of the additional lanes. All identified reasonable strategies must be incorporated into the project.*

**[For projects in the Chicago metro area]**

*Individual projects involving addition of SOV capacity were evaluated, selected, and prioritized in the course of developing the Fiscal Year [insert appropriate years] Transportation Improvement Program (TIP) and the long-range [insert appropriate year] Regional Transportation Plan (RTP) for Northeastern Illinois. The Northeastern Illinois CMS is documented via the following materials which are available through the Chicago Area Transportation Study (CATS):*

- *Congestion Management System for Northeastern Illinois, Technical Supplement, [month, year].*
- *Congestion Management Handbook, [month, year].*
- *Congestion Management System for Northeastern Illinois, [insert appropriate year] Annual Status Report.*

**[For projects in the St. Louis Metro East area]**

*Individual projects involving addition of SOV capacity were evaluated, selected, and prioritized in the course of developing the Fiscal Year [insert appropriate years] Transportation Improvement Program (TIP) and the long-range [insert appropriate year] Regional Transportation Plan (Transportation Redefined II).*

*The St. Louis Metro East Area CMS is documented via the following materials which are available through the East-West Gateway Coordinating Council:*

- *Congestion Management System for the St. Louis Region.*
- *Congestion Management Handbook, [month, year].*
- *Congestion Management System for the St. Louis Region, Technical Supplement, [month, year].*

*As indicated in the documents listed above, the development process for the TIP and Regional Transportation Plan constitutes the CMS for [Northeastern Illinois or the Metro East Area]. This process documents warranted projects for adding SOV capacity and also documents that regional and/or project-specific alternatives such as Transportation Demand Management measures, High Occupancy Vehicle measures, Transit Capital Improvements, Congestion Pricing, Growth Management, and Incident Management would not obviate the need for adding SOV capacity. Planned projects resulting from the CMS are documented in the annual CMS status report referenced above.*

*Reasonable project-specific CMS strategies, including Traffic Operational Improvements, Transit Operational Improvements, Non-motorized modes/measures (Pedestrian/Bicycle), Intelligent Transportation System (ITS), and Access Management, have been incorporated into this project to the extent practical. Specific strategies incorporated include [list the strategies (as described in the CMS Handbook) such as adding turning lanes, modernizing signals, signal interconnect, ITS (adding dynamic message signs, highway advisory radio, fiber optic, etc.), sidewalk/bicycle accommodations, access consolidation, and/or barrier median to control access, etc.]. [Add the following, if applicable:] With respect to Transit Operational Improvements, coordination occurred with [PACE/Metra/CTA or Madison County, St. Clair County, and Bi-State Regional Transportation]. Based on this coordination the following transit improvements were included in the project: [briefly describe any included transit projects and reference pertinent correspondence].*

*As documented in the above information, this project results from the CMS for [Northeastern Illinois or the Metro East Area] as a warranted project for adding SOV capacity and all reasonable congestion management strategies have been incorporated into the project to sustain its effectiveness.*

### **25-3.09 Environmental Consequences**

References: 40 CFR 1502.16 *Objectives of Environmental Consequences Discussion*  
40 CFR 1508.8 *Direct and Indirect Effects*

Paragraph V.G. of FHWA Technical Advisory T6640.8A *Environmental Consequences*

Question 7. of CEQ Q&A *Relationship Between Alternatives and Environmental Consequences Sections*

Question 18. of CEQ Q&A *Indirect Effects*

Section 22-6.02 *Indirect and Cumulative Environmental Impacts*

Chapter 26 *Special Environmental Analyses*

Chapter 27 *Environmental Surveys*

The EIS preparer may use one of two methods to present the Section on Environmental Consequences:

1. Format A. Discuss the impacts and mitigation measures separately for each alternative with the alternatives as headings. This facilitates review of a given alternative and allows the presentation of mitigation measures for each alternative under a single heading. Figure 25-3B presents a suggested format for this approach.
2. Format B. Present the impacts as headings. This is advantageous where there are few alternatives or where impacts are similar for the alternatives. It facilitates scoping discussions and review by persons/agencies interested in specific environmental issues. Figure 25-3C presents a suggested format for this approach.

The following standard subsections of the Environmental Consequences Section are suggested for use in addressing the specific impacts of the proposed action:

- General Impacts and Mitigation Measures
- Social/Economic,
- Agricultural,
- Cultural,
- Air Quality,
- Noise,
- Energy,
- Natural Resources,
- Water Quality/Resources,
- Flood Plains,
- Wetlands,
- Special Waste,
- Special Lands,
- Permits/Certifications, and
- Other Issues:
  - + Visual, and
  - + Construction.

**Suggested Format  
for the  
“Environmental Consequences” Section  
of an  
Environmental Report**

- A. General Impacts and Mitigation Measures (applicable to all alternatives)
- B. Alternative 1
  - 1. Social/Economic
  - 2. Agricultural
  - 3. Cultural
  - 4. Air Quality
  - 5. Noise
  - 6. Energy
  - 7. Natural Resources
  - 8. Water Quality/Resources
  - 9. Flood Plains
  - 10. Wetlands
  - 11. Special Waste
  - 12. Special Lands
  - 13. Permits/Certifications
  - 14. Other Issues
  - 15. Summary of Mitigation Measures
- C. Alternative 2
  - 1. Social/Economic, etc.
- D. Alternative 3
  - .
  - .
  - .
- Y. Impact/Alternative Summary Table
- Z. Commitment Monitoring Program for Preferred Alternative (Final EIS only)

**FORMAT A  
Figure 25-3B**

**Suggested Format  
for the  
“Environmental Consequences” Section  
of an  
Environmental Report**

- A. General Impacts and Mitigation Measures (applicable to all alternatives)
- B. Social/Economic
  - 1. Alternative 1
  - 2. Alternative 2
  - 3. Alternative 3, etc.
- C. Agricultural
  - 1. Alternative 1, etc.
- D. Cultural, etc.
  - .
  - .
  - .
- X. Impact/Alternative Summary Table
- Y. Summary of Mitigation Measures
- Z. Commitment Monitoring Program for Preferred Alternative (Final EIS only)

**FORMAT B  
Figure 25-3C**



The following items should be discussed, when appropriate, within each specific impact subsection:

1. Beneficial and Adverse Effects.
2. Direct and Indirect Effects. The discussion should address:
  - a. Direct (primary) Effects.
  - b. Indirect (secondary) Effects. This includes effects which would be caused by the project action later in time or further removed in distance but that would still be reasonably foreseeable. Reasonably foreseeable effects are those associated with actions that have applied for permits, zoning, or other public approvals or that have been discussed in the media. Highways may stimulate or induce secondary actions, such as more rapid land development or changed patterns of social activities. Impacts associated with secondary actions, through their impacts on existing community facilities and activities or through changes in natural conditions, may be more substantial than the direct impacts associated with the highway construction.
3. Measures to Minimize Harm. Discuss practical and feasible measures to avoid or reduce the adverse impacts, and their relative costs and benefits, where appropriate. The discussion should include the full range of reasonable measures to resolve or minimize anticipated problems and the pros and cons of each. The following also applies:
  - a. To emphasize that the Department requires contractor adherence to environmentally related (and all other) laws, ordinances, and regulations, include the following statement in the discussion of "General Impacts and Mitigation Measures":

*As required in Section 107.01 of the Illinois Department of Transportation Standard Specifications for Road and Bridge Construction, contractors for construction of the project are required at all times to observe and comply with all Federal and State laws, local laws, ordinances, and regulations which in any manner affect the conduct of the work.*
  - b. Identify measures proposed to be taken to minimize harm, such as the measures listed in the *Ecological and Natural Resources Manual*.
  - c. Describe how appropriate policies, procedures, and guidelines for channel changes have been followed. See the *Water Quality Manual*.
  - d. Discuss, where appropriate, the effectiveness of each mitigation measure to be used.

The remainder of Section 25-3.09 discusses the specific environmental consequences which should be addressed in the Environmental Consequences Section of the EIS. The discussion contains suggestions for items which should be addressed under the impact subsection headings. These factors should be considered for each reasonable alternative where a potential for impact exists. The suggestions below are neither comprehensive nor applicable in all cases; they are offered as a guide. When a project involves an issue or resource not addressed in the subsections below, BDE should be contacted for guidance, as necessary. All analyses and discussions concerning these factors should be supported by appropriate environmental studies. Charts, tables, maps, and other graphics should be used, where practical, to summarize and condense information. Refer to Section 24-3.07 for specific examples of the use of charts, tables, etc.

### **25-3.09(a) General Impacts and Mitigation Measures**

References: 40 CFR 1508.20 *Definition of Mitigation*  
Question 19. of CEQ Q&A *Discussion on Mitigation Measures*

Where appropriate, a subsection should be included which discusses the general impacts and mitigation measures that are identical for the various alternatives under consideration. Charts, tables, maps, and other graphics illustrating comparisons between the alternatives (e.g., costs, residential displacements, noise impacts) should be considered for condensing and summarizing information. This “general” subsection should discuss the relationship of the proposed action’s local short-term impacts and use of resources and the maintenance and enhancement of long-term productivity. Include a brief discussion on how the proposed action involves trade-offs between short-term environmental gains at the expense of long-term environmental losses, or vice versa, and on how the proposed action forecloses future options. In this context, “short-term” and “long-term” do not refer to any fixed time periods. Rather, they should be viewed consistent with the environmentally significant consequences of the proposed action. The short-term and long-term gains may be the benefits to the area or region, such as improved transportation, reduced traffic congestion, improved air quality, reduced noise, an improved economic base, improved access, improved development potential, etc. The short-term and long-term losses may be the disadvantages associated with the proposed highway, such as use of land by the highway, use of land for highway-associated developments (residential and industrial), loss of parks and recreational areas, increased pollution (air, water, noise), and impacts on open space, wetlands, etc.

The “General” subsection of the EIS should include the following:

1. Short-Term Uses vs. Long-Term Productivity. See Paragraph V.G.24. of FHWA Technical Advisory T6640.8A.
2. Irreversible/Irretrievable Commitment of Resources. See Paragraph V.G.25. of FHWA Technical Advisory T6640.8A.

**25-3.09(b) Social/Economic**

References: Paragraph V.G.1. of FHWA Technical Advisory T6640.8A *Land Use Impacts*  
Paragraph V.G.3. of FHWA Technical Advisory T6640.8A *Social Impacts*  
Paragraph V.G.4. of FHWA Technical Advisory T6640.8A *Relocation Impacts*  
Paragraph V.G.5. of FHWA Technical Advisory T6640.8A *Economic Impacts*  
Question 23. of CEQ Q&A *Conflicts Between Proposed Action & Land Use Plans*

Social/economic impacts should be analyzed and discussed in accordance with the procedures in the *Socio-Economic Impact Assessment Manual*, and the FHWA *Community Impact Assessment* handbook. Where there are foreseeable social/economic impacts, the DEIS should discuss (in addition to those factors in the Technical Advisory) the following for each alternative, commensurate with the level of impacts:

1. Community Changes. The discussion should:
  - describe the potential effects of the project or plan on community life in the project vicinity, incorporating neighborhood concerns, cultural identification, life styles, and community bonds;
  - indicate the outcome of public involvement with regard to controversial community impact issues;
  - consider the effects on residents which will not be displaced but will be left in proximity to the project facility; and
  - where appropriate, identify and discuss those joint development measures which will preserve or enhance the status of an affected community.
2. Environmental Justice. The project should be in accordance with Executive Order 12898 and the final US DOT Order on Environmental Justice and should:
  - state whether there are low-income or minority groups within the project area;
  - indicate if low-income or minority groups will be affected by the action and whether the impacts to these groups will be disproportionately adverse; and
  - discuss potential mitigation, if appropriate.
3. Other Groups. In addition to those identified in the Technical Advisory, the following are examples of other groups that may require special consideration (e.g., with respect to travel patterns and access to jobs, schools, churches, parks, hospitals, shopping, and community services):

- school-age children,
  - pedestrians, and
  - bicyclists.
4. Public Services/Facilities. Indicate how project-induced growth and land-use changes might affect the capability of public services and facilities to meet community needs.
5. Relocated Businesses. Provide an estimate of the numbers, descriptions, types of occupancy (owner/tenant), and sizes (number of employees) of businesses and farms to be displaced. Additionally, the discussion should identify:
- sites available in the area to which the affected businesses may relocate,
  - the likelihood of such relocation,
  - potential impacts on individual businesses and farms caused by displacement,
  - whether any of the displaced businesses provide specialized services which no longer would be available to the community, and
  - whether the employees of the relocated businesses would be able to remain with the businesses (or would the business relocate so far from where the employees now live that the employees would not remain?).
6. Businesses Not Relocated. Describe the effects of the proposed action on businesses not relocated, particularly in established business districts, and any opportunities to minimize or reduce such impacts by the public and/or private sectors. This may occur on a project that might lead to or support new large commercial development outside of a central business district. Include the following, when appropriate, in the discussion:
- major economic base of the community (e.g., manufacturing, service, agriculture);
  - trade in the area — wholesale and retail;
  - job opportunities — average wage and unemployment rate;
  - competitive status of area businesses;
  - number of customers; and
  - effects of access control.

7. Land Use Impacts. The discussion on land use impacts should:

- include an assessment of the growth-inducing potential for the proposed action. If increased pressure for development is anticipated, the discussion should include an assessment of the type of development that is expected to occur and where and when it is expected to occur. Any factors which might be used by local governments to influence development (such as zoning, restricting utility service, etc.) also should be discussed;
- describe the scope and status of the planning process for the area and discuss the relationship between the proposed action and land use and public facility plans, policies, and controls that are applicable to the affected community. Existing and proposed land use (preferably shown on a map), including other proposed Federal, State, and local actions in the area affected, also should be discussed. Where conflicts exist, this subsection should describe the extent to which the conflicts are resolved and the reason for proceeding without full reconciliation;
- discuss the relationship between any growth-inducing characteristics of the proposed action and the State and/or local government plans and policies on growth in the area. These plans and policies will be reflected in land use plans or in other plans for coastal zones, wilderness areas, etc. The distinction between planned growth and unplanned growth is an important one which should be emphasized;
- identify the extent to which land uses/resources would be disrupted or lost due to the project's right-of-way, borrow areas, secondary effects, etc. Be as specific as possible in describing existing land use, its quality, condition, or productivity, and the economic value of the area and/or its products (in dollars) which would be lost. Use maps, if possible, to show area and locations; and
- identify how the facility may permanently affect adjoining land uses/resources.

8. Property Values. Describe the features of the project which might affect the values of adjacent properties (e.g., proximity, noise, capacity).

9. Public Transportation. Discuss the effect the facility will have on the competitiveness of all forms of public transportation, both intracity and intercity.

10. Industrial Sites. If industrial property will be taken, discuss the probability that its removal will encourage the replacement of obsolete or outdated facilities with more modern facilities (i.e., capital investment opportunities).

11. Employment. Provide an estimate of the number of jobs that will be created by the project per million dollars of project cost.

### **25-3.09(c) Agricultural**

References: Paragraph V.G.2. of FHWA Technical Advisory T6640.8A *Farmland Impacts*  
Section 26-10 *Evaluations of Farmland Conversion Impacts*

In addition to the information discussed in the cited references, the discussion on agricultural impacts should include:

1. Farmland and Soils Identification. In all cases, identify the total amount of farmland and estimate the amount of prime and important farmland to be converted to non-agricultural use. This should include the estimated conversion of agricultural land for borrow or contractor-use areas and other proposed mitigation efforts (e.g., wetland mitigation).
2. Protected Agricultural Areas. Identify any protected agricultural areas and include a discussion on avoidance or non-avoidance.
3. Coordination. Determine if coordination is required with the US Department of Agriculture, Natural Resources Conservation Service (NRCS), or the Illinois Department of Agriculture (IDOA). If coordination is required, indicate the agency and the basis for coordination. If coordination with the NRCS is required, a copy of the completed Form AD-1006 should be included as an exhibit. If coordination is not required, explain why.
4. Impacts. Summarize the results of the evaluation of farmland impacts and the results of coordination. Where possible, use tables and exhibits to illustrate impacts. The taking of a farm residence or known tax loss from right-of-way purchased should be discussed under the Social/Economic topic.
5. Erodible Soils. Based on the soil type and class information tabulated for Form AD-1006, discuss erodibility of the soils and methods likely to be used to control erosion

### **25-3.09(d) Cultural**

References: Paragraph V.G.19 of FHWA Technical Advisory T6640.8A *Historic and Archeological Preservation*  
Section 26-2 *Section 4(f) Evaluations*  
Section 26-5 *Historic Act Compliance Documentation*

The cited references provide the primary guidance on the discussion of cultural resources in the EIS. The following provides additional IDOT-specific guidance on the documentation of findings and results or coordination for specific resource concerns:

1. Archaeological Sites. If the project was signed-off by the BDE Cultural Resources Unit, identify the date and use the language from the Cultural Resources Unit memorandum to explain why.

Based on the cultural resources survey results, determine if there are any potentially significant resources found to be in the project area. If no, identify the date of the State Historic Preservation Officer's (SHPO) sign-off and note that this completes the coordination process. If yes, note the type and number of resources, the nature of further field work required, and the date notified.

If the sites were avoided or cleared during the Phase II field evaluation, identify the date of the SHPO sign-off and note that this completes the compliance process. If no, Phase III excavation (data recovery) is required. A Statement of No Adverse Effect or a Memorandum of Agreement should be attached to the EIS as an Appendix, and commitments to conduct archaeological field work after right-of-way purchase should be noted.

2. Historic Bridges. Determine if the project will affect a bridge listed in the Illinois Historic Bridge Survey. If not, coordination for compliance with Section 106 on historic bridges is not required, and this should be stated in the EIS. If the project will affect a bridge on the Illinois Historic Bridge Survey (e.g., by rehabilitating, closing, moving, or removing the bridge), documentation of compliance with Section 106 will be required. Refer to BDE Technical Environmental Memorandum P-1-95 for details. For a finding of "no adverse effect," identify the date on which the Advisory Council on Historic Preservation approved the Statement of No Adverse Effect. For an "adverse effect" finding, identify the date of final signature of a Memorandum of Agreement and provide a brief summary of the mitigation required. If the project will adversely affect the historic integrity of a bridge on or eligible for the National Register of Historic Places (i.e., the factors that qualified it for eligibility), compliance with Section 4(f) also is required.

3. Historic Districts & Buildings. If the project is located within a historic district listed in the National Register of Historic Places or designated by local ordinance, coordination with the Illinois Historic Preservation Agency (IHPA) will be required. Coordination also will be necessary for any buildings over 50 years old directly or indirectly impacted by the project.

The district is required to take photographs (black-and-white or color) of buildings over 50 years old and buildings of uncertain age located on property in or adjacent to the proposed project. The photos should be submitted to the Cultural Resources Unit. If the Cultural Resources Unit or the IHPA determines that no significant buildings will be impacted, the date of the sign-off should be noted in the EIS.

If a building eligible for the National Register is located in the project impact area, the Section 106 process starting with State Historic Preservation Officer (SHPO) coordination must be initiated through the Cultural Resources Unit. The date of final

approval of a Statement of No Adverse Effect or, for an adverse effect, of a Memorandum of Agreement and a brief summary of the mitigation should be included in the EIS. If an adverse effect is involved, a Section 4(f) evaluation document will be required.

### 25-3.09(e) Air Quality

References: Paragraph V.G.8. of FHWA Technical Advisory T6640.8A *Air Quality Impacts*  
Section 26-11 *Air Quality Conformity Documentation*  
*IDOT Air Quality Manual*  
*Illinois COSIM User's Manual*

The cited references provide the primary guidance on the discussion of air quality in the EIS. The following provides additional IDOT-specific guidance:

1. Microscale Analysis. Projects that will have an average daily traffic (ADT) volume of less than 16,000 by the end of the first year of operation are exempt from the requirement for a microscale Carbon Monoxide (CO) analysis. For these projects, enter the following paragraph in the discussion of environmental consequences:

In accordance with the provisions of an "Agreement on Microscale Air Quality Assessments for IDOT Sponsored Transportation Projects; Illinois Department of Transportation and Illinois Environmental Protection Agency," this project is exempted from a project-level carbon monoxide air quality analysis because it is a low-volume roadway with a forecasted average daily traffic volume of 16,000 or less vehicles at the end of the first year of project operation.

For projects that will have an ADT volume greater than 16,000 by the end of the first year of operation, an analysis for CO is required. A screening analysis should be used on applicable projects to determine if the action has potential to result in CO contributions that could cause a violation of the National Ambient Air Quality Standards (NAAQS). The *Illinois Carbon Monoxide Screen for Intersection Modeling* (COSIM) shall be used for the screening analysis on projects that fit the assumptions upon which the screening model was based. It will provide a "worst case" estimate of CO concentrations and will indicate whether further detailed air quality analysis is needed. If the screening analysis indicates that the action "passes" (i.e., that it does not have potential for causing a violation of the NAAQS for CO), further air quality analysis is not required. Include the following paragraph in the environmental consequences discussion:

The air quality effects of the proposed project were analyzed using the Illinois Carbon Monoxide Screen for Intersection Modeling (COSIM). The "worst case" analysis provided by the COSIM model indicated that the proposed undertaking does not have the potential for contributing to a



violation of the National Ambient Air Quality Standard for CO. CO concentrations for the worst case receptor were as follows:

Existing ([year]) - \_\_\_\_ ppm; Build - Time of Completion (TOC) ([year]) - \_\_\_\_ ppm, TOC + 10 years ([year]) - \_\_\_\_ ppm, and Design Year ([year]) - \_\_\_\_ ppm; No Action - \_\_\_\_ ppm in [TOC year], \_\_\_\_ ppm in [TOC +10 year], and \_\_\_\_ ppm in [Design Year].

If the screening analysis indicates the project “fails” (i.e., that it has potential for contributing to a violation of the NAAQS for CO), or if the project does not fit the assumptions for use of the screening analysis, a detailed air quality analysis is required. The worst-case location and calculated eight-hour results of this analysis should be described, following the guidance in the *IDOT Air Quality Manual*. The latest USEPA Mobile model should be used for emissions factors. Comparison of these results to the National Ambient Air Quality Standards (NAAQS) for CO shall determine whether the project supports the maintenance of the CO NAAQS in Illinois. Analysis results below the eight-hour CO NAAQS (less than 9 ppm) will indicate no impacts present to the local atmospheric conditions that are necessary to protect the public health and welfare. Analysis results above the eight-hour CO NAAQS will indicate impacts present, which will require mitigation measures to be discussed with FHWA, USEPA, and IEPA. Any such mitigation measures should be described in the EIS.

2. Air Quality Conformity Statement. A determination must be made as to whether the highway project is located wholly or partially in a portion of the State classified by the USEPA as a nonattainment area for any of the six criteria pollutants (40 CFR Part 81). This determination should be made and documented in accordance with the procedures in Section 26-11.

### **25-3.09(f) Noise**

References: Paragraph V.G.9. of FHWA Technical Advisory T6640.8A *Noise Impacts*  
Section 26-6 *Noise Analyses*  
*IDOT Traffic Noise and Vibration Manual*

In addition to the information described in FHWA Technical Advisory T6640.8A, the following statement should be included in this Section of the EIS:

*Construction noise will be controlled in accordance with article 107.35 of the Standard Specifications for Road and Bridge Construction.*

### **25-3.09(g) Energy**

Reference: Paragraph V.G.22. of FHWA Technical Advisory T6640.8A *Energy*

Use the following statement when addressing energy:

*Construction of the proposed \_\_\_\_\_ (Route) \_\_\_\_\_ improvement will require indirect consumption of energy for processing materials, construction activities, and maintenance for the lane miles (kilometers) to be added within the project limits. Energy consumption by vehicles in the area may increase during construction due to possible traffic delays.*

*Construction of the proposed improvement will reduce traffic congestion and turning conflicts along the route and thereby reduce vehicular stopping and slowing conditions. Additional benefits would be realized from increased capacity and smoother riding surfaces. This will result in less direct and indirect vehicular operational energy consumption for the build alternative than for the no-action alternative. Thus, in the long term, post-construction operational energy requirements should offset construction and maintenance energy requirements and result in a net savings in energy usage.*

The following should be added when applicable:

*The project includes provisions for improved bicycling and walking conditions, thereby encouraging travel by these non-motorized and thus non-energy consuming modes of transportation.*

Energy impacts should only be presented if it is an issue of concern in the project area or if substantial differences between alternatives are anticipated.

### **25-3.09(h) Natural Resources**

References: Paragraph V.G.18. of FHWA Technical Advisory T6640.8A *Threatened and Endangered Species*  
Section 26-9 *Threatened and Endangered Species/Natural Area Impact Assessments*

These impacts should be analyzed and discussed in accordance with the procedures stipulated in the *Ecological and Natural Resources Manual*. Refer to Chapter 26 for further discussion of requirements. In addition to the information discussed in the cited references, the discussion in the EIS should address the following:

1. Vegetation/Habitat. Discuss how the present vegetation or habitat types would be changed or removed as a result of the project. Include considerations of the following:
  - the number of acres (hectares) of each vegetation community/habitat type affected or destroyed by the project. Specify the number of acres (hectares) by type which would be converted from one vegetation or habitat type to another

(such as from row crops or forest to grass right-of-way). Discuss the commonness in the region of the vegetation types or habitat which would be lost and gained. Indicate whether any other areas (indicating size of area) which, though not changed from one type to another, may be affected by construction or operation. Discuss removal of all or portions of specific tracts of forest, savanna, marsh, bog, prairie, or other type of vegetation. Identify replacement time for communities lost. Identify the location, vegetation type, present size of area, acres (hectares) which would be removed, and the remaining acres (hectares) of each tract; and

- the possible effects of the project on abundance and diversity of species in the vicinity, including changes in acres (hectares) of habitat mentioned above. Identify the present status (including abundance and diversity) of the affected species in the region. Identify potential effects on any species of plants or animals which occupy the area.
2. Ecological Changes. Describe how the project might cause ecological changes (other than those described above) either in the immediate vicinity or in the affected region. Consider all aspects of the project, including construction, operation, maintenance, and secondary effects. Specific activities which may cause adverse ecological impacts are listed in the *Ecological and Natural Resources Manual*. Indicate which project activities are expected to have an effect, the probability of occurrence of such effects, their duration (days, months, years, or decades), and their magnitude or significance.
  3. Mitigation. Describe the measures which would be used for mitigating harmful ecological effects and any measures which would be used for enhancing favorable ecological effects of the project. A list of suggested practices is included in the *Ecological and Natural Resources Manual*.
  4. Endangered Species. Document the compliance, as appropriate, with the Federal Endangered Species Protection Act of 1973, as amended and Section 11 of the Illinois Endangered Species Protection Act. Refer to Chapter 26 for a further discussion on specific requirements. Paragraph V.G.18. of FHWA Technical Advisory T6640.8A discusses the documentation for the Federal laws. For the State requirements, documentation in this subsection of the EIS should be as follows:
    - a. If no State-listed threatened or endangered species, designated essential habitat, or designated or candidate natural areas are within the area of the project's potential impact, this should be stated. The basis for this finding (e.g., coordination with the Illinois Department of Natural Resources (IDNR), published information, field surveys, etc.) should be indicated. The results of coordination with IDNR concerning this finding also should be included.
    - b. If a State-listed threatened or endangered species, designated essential habitat, or a designated or candidate natural area may be adversely affected by the

project, a Detailed Action Report must be prepared to identify and evaluate the project's effects on such species, habitat, or area. If the State-listed species or designated essential habitat is also covered by Federal Endangered Species Act requirements, the biological assessment prepared for the Federal requirements will be used for State compliance. The draft EIS should summarize the following data from the Detailed Action Report, which need not be repeated if presented for compliance with Federal requirements:

- background information concerning the species/habitat/natural area potentially affected (e.g., for species, their distribution, habitat needs, and other biological requirements; for habitat, the basis for its designation as "essential"; for a natural area, the basis for its candidacy or designation);
- the affected areas of the proposed project;
- possible impacts to the species/habitat/natural area, including opinions of recognized experts on the resource(s) at issue;
- measures to avoid or minimize adverse impacts; and
- results of consultation with IDNR.

If the consultation with IDNR results in a finding that (1) the action will promote the conservation of listed species, designated essential habitat, or natural areas; or (2) the action will not jeopardize a listed species, designated essential habitat, or natural area, the final EIS should contain documentation of this finding and identify any proposed mitigation for the preferred alternative.

If the results of consultation with IDNR indicate the preferred alternative will jeopardize a listed species, designated essential habitat, or natural area, the final EIS should contain:

- a summary of the Detailed Action Report (refer to data above for draft EIS);
- a summary of the steps taken, including alternatives or measures evaluated and conferences and consultations held, to resolve the project's conflict with the listed species, essential habitat, or natural area;
- a copy of the biological opinion from IDNR; and
- a statement of the final response to the findings in the biological opinion (e.g., selection of feasible and prudent alternative to avoid jeopardy, incorporation of mitigation measures).

If the project requires an authorization for incidental taking of a listed species, include a statement to that effect in the natural resources discussion and indicate that the authorization will be obtained prior to award of the contract for the work that causes the incidental taking. Also, provide information describing the nature of the incidental taking, the species involved (including an indication of whether the species is Federally-listed, State-listed, or both), and the measures for minimizing and mitigating the effects of the taking on the listed species.

### 25-3.09(i) Water Quality/Resources

References: Paragraph V.G.10. of FHWA Technical Advisory T6640.8A *Water Quality Impacts*  
Paragraph V.G.11. of FHWA Technical Advisory T6640.8A *Permits*  
Paragraph V.G.13. of FHWA Technical Advisory T6640.8A *Water Body Modifications and Wildlife Impacts*  
Paragraph V.G.15. of FHWA Technical Advisory T6640.8A *Wild and Scenic Rivers*  
Chapter 28 *Environmental Permits/Certifications*

In addition to the information in the cited references, the EIS should discuss the following:

1. Water Resources. Identify, by name, the water resource(s) (including streams, ponds, lakes, etc.) in the project area. Indicate flow regime (permanent or intermittent) and upstream watershed area (in acres [hectares]). Describe the aquatic ecosystem of each water resource in terms of its physical, chemical, and biological (e.g., fish, mussels, macroinvertebrates, etc.) attributes.

Determine if the resource is a wild and scenic river, candidate for wild and scenic river status, navigable river, Illinois natural area, Illinois nature preserve, or threatened and endangered species habitat. This information should be obtained from the Biological Resources Review Memorandum. Navigable waters are listed in the *IDOT Water Quality Manual*.

Determine if there are any "sensitive" water resource(s) (public water supply, groundwater recharge area, high-quality stream) in the project area. If a Preliminary Environmental Site Assessment (PESA) is prepared for the project, it will identify these types of resources. If a PESA is not prepared, the district should obtain this information from such literature sources as the Illinois water quality report, IEPA/IDNR Biological Stream Characterization methodology, Potential for Aquifer Recharge in Illinois map, Biologically Significant Illinois Streams Report, or correspondence with State agencies (IEPA, IDNR).

2. Surface Water Quality. The purpose of this discussion is to describe the existing water quality conditions and establish the sensitivity of the resource. The information on

existing water quality can be obtained from USGS water resource data, the Illinois water quality report, or USEPA STORET data system. Where STORET data is available, water quality data spanning several years should be used to reflect trends.

3. Water Resource/Water Quality Impacts. The purpose of this topic is to identify the type and degree of impact which could potentially occur, and to identify the impact mitigation measures. Describe the proposed work (such as cofferdams, channel changes, channel excavation, construction haul roads, work pads, causeways, wing dams, dams, riprap placement, bank excavation, abutment construction, low-water crossings, etc.) in, over, and adjacent to the stream. Briefly describe impacts to the physical, chemical, and biological characteristics of the aquatic ecosystem. Identify impacts to the human use characteristics of such ecosystems (e.g., municipal and private water supplies, recreational and commercial fisheries, water-related recreation, navigation). Identify the mitigation measures, including erosion and sediment control items, to be implemented to lessen the impact.

Discuss the potential for surface water quality impacts from the operation of the roadway. Roadway operation includes vehicular use and maintenance practices. Highway runoff pollution may affect water quality of receiving waters through shock or acute loadings and through chronic effects from long-term accumulation within the receiving water. The significance of these impacts is very site-specific and will depend heavily on the characteristics of the highway and receiving waters. Research indicates few significant impacts for highways with less than 30,000 ADT. Potential impacts are generally short-term, localized, acute loadings from temporary water quality degradation with few, if any, chronic effects. Identify any location where roadway runoff may have an adverse impact on receiving waters. Identify the potential mitigation measures to moderate the adverse impact.

The 1996 FHWA research report "Evaluation and Management of Highway Runoff Water Quality" contains procedures for estimating pollutant loading from highway runoff. The report may be helpful in determining the level of potential impacts and appropriate mitigation measures.

4. Water-Related Permits. Any work requiring an individual Section 404 or a bridge permit should be discussed. If an individual Section 404 permit will be required, the US Army Corps of Engineers and US Environmental Protection Agency must be requested to be Cooperating Agencies. Activities covered by a nationwide permit also should be listed by location and type of work and nationwide permit type. It should be noted that all Section 404 permits will require water quality certification from the IEPA.

A National Pollutant Discharge Elimination System (NPDES) permit is required if five acres (two hectares) or more of surface area\* are disturbed. If an NPDES construction permit is required, the following paragraph should be incorporated into the EIS:

*It is anticipated this project will result in the disturbance of five or more acres (two or more hectares) of total land area. Accordingly, it is subject to the requirement for a National Pollutant Discharge Elimination System (NPDES) permit for stormwater discharges from the construction sites. Permit coverage for the project will be obtained either under the IEPA General Permit for Stormwater Discharges from Construction Site Activities (NPDES Permit No. ILR10) or under an individual NPDES permit. Requirements applicable to such a permit will be followed, including the preparation of a Stormwater Pollution Prevention Plan. Such a plan shall identify potential sources of pollution which may reasonably be expected to affect the quality of stormwater discharges from the construction site and shall describe and ensure the implementation of practices which will be used to reduce the pollutants in discharges associated with construction site activity and to assure compliance with the terms of the permit.*

\*Note: Effective March 10, 2003, projects that will result in a disturbance of less than five acres (two hectares) and more than one acre (4047 m<sup>2</sup>) of land surface will be subject to the NPDES permit requirements for stormwater discharges from construction sites. For projects that will exceed the one acre (4047 m<sup>2</sup>) disturbance threshold and that will be under construction on or after March 10, 2003, the NPDES permit paragraph should be included with a revised first sentence indicating that the project will result in the disturbance of more than one acre (4047 m<sup>2</sup>).

5. Stream Modification/Impoundment Impacts. Document the results of coordination with the US Fish and Wildlife Service, the Illinois Department of Natural Resources, and appropriate local agencies in the draft EIS. A discussion should be included on the action taken or proposed to be taken in response to the recommendations of these agencies.
6. Groundwater Quality. Include a statement on whether there are any designated sole source aquifers in Illinois and whether the project would affect them. Cite the source and date of the information upon which the statement is based. Groundwater resource information for Illinois is available on the USEPA web site at the following address: <http://www.epa.gov/OGWDW/swp/sumssa.html>.

If the project does not create any new potential "routes" for groundwater pollution (e.g., dry wells, borrow pits) or any new potential "sources" of groundwater pollution (e.g., bulk road oil, de-icing salt storage facilities), include the following statement:

*This project will not create any new potential "routes" for groundwater pollution or any new potential "sources" of groundwater pollution as defined in the Illinois Environmental Protection Act (415 ILCS 5/3, et seq.). Accordingly, the project is not subject to compliance with the minimum setback requirements for community water supply wells or other potable water supply wells as set forth in 415 ILCS 5/14, et seq.)*

If the project creates any new potential "route" or "source" for groundwater pollution, describe the nature of the "route" or "source" and indicate whether it will be within a setback zone (minimum or maximum) for a water supply well. Indicate the type of well (e.g., community water supply, private water supply) and discuss any permits or mitigation measures that may be needed for the "route" or "source." The minimum setback distance for a potable water supply well is 200 ft (60 m) or 400 ft (130 m) for a community water supply well with high to moderate geologic susceptibility. Maximum setback zones for community water supply wells may be up to 1000 ft (300 m) from the wellhead or, in rare cases, up to 2500 ft (760 m). Indicate whether the project is within a regulated recharge area.

In addition, include a statement on whether the project may cause any violation of groundwater quality standards. Consider whether the project would create any new potential "routes" or "sources" for groundwater pollution. Consider the projected traffic and the filtering effects of any retention or detention facilities or grassed drainage ways that would be provided, and the filtering effects of the underlying geology. Where a project will not cause a violation of surface water quality standards, modeling results have indicated it is generally unlikely that the project will cause a violation of groundwater standards due to the filtering effects of grassed drainage ways, retention/detention facilities, and/or the underlying geology. Studies have shown that grassed drainage ways can remove up to 83% of the suspended solids, which account for most of the pollutants in highway runoff. Retention/detention facilities have been shown to be capable of removing up to 90% of the suspended solids.

### **25-3.09(j) Flood Plains**

References: Paragraph V.G. 14. of FHWA Technical Advisory T6640.8A *Flood Plain Impacts*  
Section 26-7 *Flood Plain Finding*  
Chapter 28 *Environmental Permits/Certifications*

Describe the natural and beneficial flood plain values within the project vicinity. Describe the work within the flood plain and the impacts to these flood plain values. The approximate limits of the flood plain(s) in the project area should be delineated on a map. Any encroachment(s), including longitudinal or transverse, should be presented. Maps from the National Flood Insurance Program must be used, if available.



Indicate whether the work is within the 100-year flood plain and whether it is a transverse or longitudinal encroachment (include the length of the encroachment). Identify the FEMA map and include the date. As a summary, use one of the six category statements contained in Section 26-7.

For each alternative encroaching on a designated or proposed regulatory floodway, the district office should coordinate with the Bureau of Bridges and Structures to obtain information regarding flood profile and waterway opening for any structures involved. The district must then determine if the encroachment is significant and whether it would be consistent with the regulatory floodway. If the preferred alternative involves a significant encroachment, include in the EIS the finding required by Executive Order 11988 and 23 CFR 650 Subpart A, that there is no practicable alternative to construction in flood plains (see Section 26-7). If the preferred alternative encroaches in a regulatory floodway and mitigation is required, the EIS should describe the mitigation. An IDNR/OWR permit is required for construction within a regulatory floodway (see Chapter 28).

### 25-3.09(k) Wetlands

References: Paragraph V.G.12 of FHWA Technical Advisory T6640.8A *Wetlands Impacts*  
Section 26-8 *Wetlands Analyses and Findings*  
Chapter 28 *Environmental Permits/Certifications*

The discussion on wetlands should include the results of coordination with the US Fish and Wildlife Service and the Illinois Department of Natural Resources, as appropriate. Identify the location, type, and area of wetlands impacted (directly and indirectly) by the proposed action. Determine the importance of the impacted wetlands and the severity of the direct and indirect impacts. Include area and functional values of wetlands lost.

The discussion must indicate why the impacted wetlands cannot be **avoided**, the measures that have been taken to **minimize** the adverse impact through project modification, and the appropriate and practicable compensatory **mitigation** to replace the unavoidable wetland losses. The discussion should also identify those alternatives which avoid wetlands impacts. Summarize the coordination efforts with the regulatory and natural resource agencies. Determine if there are any unresolved wetland issues.

Any work in wetlands requiring an individual or nationwide 404 permit should be briefly described as to location and nature of work and, for nationwide permits, the applicable nationwide permit type should be indicated.

If wetland mitigation is required, the following information should be provided:

- the location and size of the mitigation site;
- the compensation matrix (on-site/off-site, in kind/out of kind, in basin/out of basin);

- type of plant community(ies) to be restored or created; and
- the preliminary approval of the mitigation site and plan by BDE and the IDNR.

If the preferred alternative is located in wetlands and there are no practicable alternatives to construction in wetlands, the following additional items must be included in the FEIS for the project to support an “Only Practicable Alternative Finding”:

- a reference to Executive Order 11990;
- an explanation why there are no practicable alternatives to the proposed action (including a reference to the results of coordination with the US Fish and Wildlife Service and the IDNR, as appropriate);
- an explanation why the proposed action includes all practicable measures to minimize harm to wetlands (including a reference to the results of coordination with the US Fish and Wildlife Service and the IDNR, as appropriate);
- a concluding statement that: *Based upon the above considerations, it is determined that there is no practicable alternative to the proposed construction in wetlands and that the proposed action includes all practicable measures to minimize harm to wetlands which may result from such use.*

### **25-3.09(I) Special Waste**

References: Paragraph V.G.20. of FHWA Technical Advisory T6640.8A *Hazardous Waste Sites*  
Section 27-2 *Special Waste Procedures*

*Note: These procedures use the collective term “special waste,” from the Illinois Environmental Protection Act (415 ILCS 5/3.45), which includes hazardous waste, potentially infectious medical waste, and industrial process waste or pollution control waste, subject to certain exceptions (see Section 27-2). Contaminated soils that meet the exemption from classification as a “special waste” are still considered to be a “regulated substance” and will be regulated as a solid waste. Involvement with such contamination will be addressed as a part of the BDE Special Waste Procedures and should be discussed, as appropriate, in the Environmental Consequences section.*

The FHWA Technical Advisory provides the primary guidance on discussion of Special Waste in the EIS. The following provides additional IDOT-specific guidance for documenting the various outcomes of the Special Waste Procedures (see Section 27-2) for project alternatives under study:

1. If application of the SWA screening criteria resulted in a finding that an alternative has no potential for involving sites impacted with regulated substances, include in the coordination exhibits, a copy of the SWA screen/survey request form signed by the individual who completed the form. Also include the following statement in the Environmental Consequences section:

*Special Waste*

*Alternative \_\_\_\_\_ will not involve nor impact any CERCLIS sites nor other sites potentially impacted with regulated substances.*

2. If the Preliminary Environmental Site Assessment (PESA) resulted in a finding that an alternative under study is “no risk” or “low risk” for involvement with sites potentially impacted with regulated substances, include the following statement:

*Special Waste*

*Alternative \_\_\_\_\_ will not involve nor impact any CERCLIS sites nor other sites potentially impacted with regulated substances or the involvement will be at an acceptable risk level to the Department.*

3. If the PESA resulted in a finding that an alternative is “moderate risk” or “high risk” for involvement with sites potentially impacted with regulated substances but that it will avoid any such site(s), include in the coordination exhibits a copy of the PESA response form on file with the BDE. Also include the following statement:

*Special Waste*

*Alternative \_\_\_\_\_ will not involve nor impact any CERCLIS sites nor other sites potentially impacted with regulated substances.*

4. If the PESA resulted in a finding that the project is “moderate risk” or “high risk” for involvement with sites potentially impacted with regulated substances and the preferred alternative will not avoid the site(s), include in the coordination exhibits, a copy of the last response from BDE regarding the sites impacted with regulated substances (e.g., a determination that the project qualifies as a Risk Managed Project, a waiver on waiting for the results of further investigations). Also include the following statements, as appropriate:

*[Either]*

*No CERCLIS site(s) will be involved nor impacted by Alternative \_\_\_\_\_.*

*[or]*

*A CERCLIS site(s) will be involved with Alternative \_\_\_\_\_ but there is no prudent or feasible alternative for avoidance. The site(s) [do/do not] include identified hazardous wastes. The nature and extent of the*

*involvement with the CERCLIS site(s) are known, all areas of contamination will be addressed to protect human health and the environment in accordance with applicable Federal and State laws and regulations, and all risks and liabilities (costs, etc.) of the involvement are known and are acceptable to the Department.\* (Use in FEIS only.)*

*A Preliminary Environmental Site Assessment for special waste was conducted by the [Illinois State Geological Survey/district, as appropriate]. The assessment concluded that Alternative \_\_\_\_\_ could involve sites potentially impacted with regulated substances. Further, it has been determined that not all of the sites can be avoided. The sites which cannot be avoided include [describe and reference to locations on an exhibit—if sites containing hazardous waste will be affected, they should be described first]. [Some/all] of the sites involve petroleum contamination from leaking underground storage tanks. [If applicable] Sites which involve types of contamination other than petroleum include [describe sites, locations, and type of contamination]. The nature and extent of the involvement are known and the areas of contamination, involving approximately [indicate estimated quantities involved], will be managed and disposed of in accordance with applicable Federal and State laws and regulations and in a manner that will protect human health and the environment. The quantities to be disposed are not expected to have a significant impact on landfill capacity.\* (Use in FEIS only.)*

*\*For sites on the National Priorities List, which is the nationwide list of hazardous waste sites maintained by USEPA for purposes of assigning priorities for cleanup, the public must be afforded an opportunity to comment on the analysis of alternatives for addressing the sites.*

### **25-3.09(m) Special Lands**

References: Section 26-3 Section 6(f) Conversion Request  
Section 26-4 OSLAD Land Conversion Request

The following applies to the Special Lands portion of the EIS:

1. 6(f). Determine if the project will involve use of lands that have Land and Water Conservation (LAWCON) funds involved in their purchase or development. If yes, describe the involvement and the replacement land and provide the date of the National Park Service approval of the Section 6(f) land conversion request.
2. Open Space Lands Acquisition and Development (OSLAD) Act Lands. If the project will involve use of lands that had OSLAD funds involved in their purchase or development, describe the involvement and the replacement land and indicate the date of IDNR approval of the OSLAD land conversion request.

**25-3.09(n) Permits/Certifications**

References: Chapter 28 *Environmental Permits/Certifications*

This section of the EIS should list the permits and certifications required for the project and should reference the section(s) and subsection(s) where the related permit/certification issues are discussed.

**25-3.09(o) Other Issues**

References: Paragraph V.G.21. of FHWA Technical Advisory T6640.8A *Visual Impacts*  
Paragraph V.G.23. of FHWA Technical Advisory T6640.8A *Construction Impacts*

In addition to the cited references, the following IDOT-specific guidance applies:

To the extent that the *IDOT Standard Specifications* or Recurring Special Provisions address measures for mitigating anticipated construction-related environmental impacts, these specifications and provisions should be noted as a part of the discussion. Examples include the specifications concerning erosion control; protection of aboriginal records and antiquities; protection of streams, lakes, reservoirs, natural areas, wetlands, prairie areas, savannas, and threatened and endangered species; forest protection; and construction noise restrictions.

**25-3.10 List of Preparers**

References: 40 CFR 1502.17 *List of Preparers*  
Paragraph V.H. of FHWA Technical Advisory T6640.8A *List of Preparers*

In addition to the information in the cited references, the following IDOT-specific guidance applies:

The list of preparers should include those persons that were directly involved in the actual preparation and review of the EIS. It should not include persons whose involvement was primarily administrative.

**25-3.11 List of Agencies, Organizations, and Persons to Whom Copies of the EIS Are Sent**

References: 23 CFR 771.125(g) *Recipients of FEIS*  
Paragraph V.I. of FHWA Technical Advisory T6640.8A *List of Agencies, Organizations, and Persons to Whom Copies of the EIS Are Sent*

The cited references provide the applicable guidance for preparing this section of the EIS.

**25-3.12 Comments and Coordination**

References: 40 CFR 1503 *Inviting and Responding to Comments*  
23 CFR 771.125(a) *Coordination Discussion in FEIS*  
Paragraph V.J. of FHWA Technical Advisory T6640.8A *Comments and Coordination*

The cited references provide the applicable guidance for preparing this section of the EIS.

**25-3.13 Index**

References: Paragraph V.K. of FHWA Technical Advisory T6640.8A *Index*  
Question 26. of CEQ Q&A *Use of Indices*

The Index should be an alphabetic listing of all sections and subsections in the report and other references on important subjects and areas of major environmental impacts, together with the corresponding page-number references to the text.

**25-3.14 Appendices**

References: 40 CFR 1502.18 *Appendix*  
Paragraph V.L. of FHWA Technical Advisory T6640.8A *Appendices*  
Question 25. of CEQ Q&A *Use of Appendices*

The cited references provide the applicable guidance for preparing this section of the EIS.

**25-3.15 Section 4(f) Evaluation**

References: 23 CFR 771.135 *Section 4(f) Procedures*  
Section 26-2 *Section 4(f) Evaluations*

When Section 4(f) resources are involved, the EIS should contain a separate heading entitled "Section 4(f) Evaluation." This Section should not repeat information contained in the EIS. Rather, information should be included by reference only.

If the project will involve use, including constructive use, of land from a significant publicly owned park, recreational area, or wildlife and waterfowl refuge, or any land from a historic site of national, State, or local significance, either a programmatic or an individual Section 4(f) Evaluation may be required (see Section 26-2). If temporary use of 4(f) land is involved and meets the conditions for exclusion from 4(f) applicability (see Appendix A, Section 4(f) Background/Q&A), identify the use, document the response to each of the conditions, and indicate the date of FHWA concurrence that a 4(f) use does not apply.